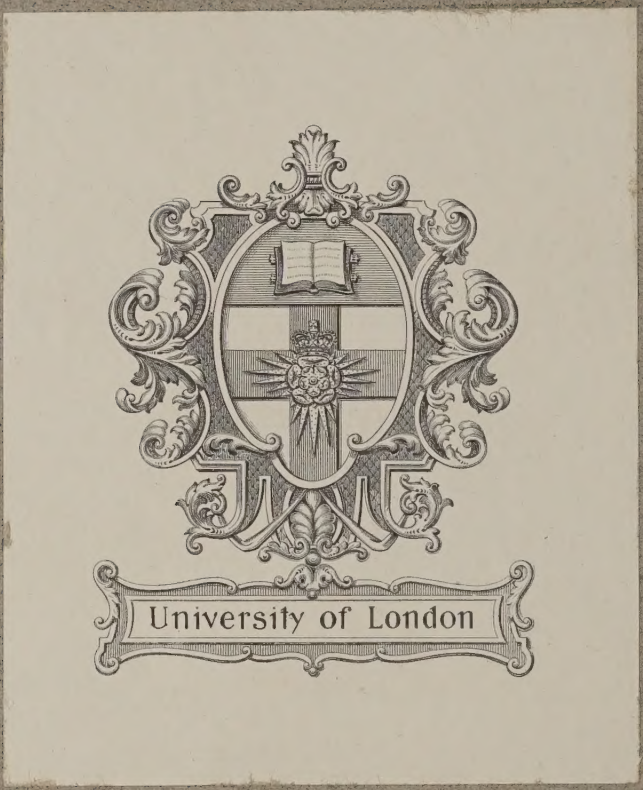
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ACCOUNTS AND PAPERS:

THIRTY-NINE VOLUMES.

— *(37.)* —

SLAVE TRADE.

STATE PAPERS.

ABYSSINIAN CAPTIVES;
AMERICA, NORTH (SHENANDOAH).

Session

1 *February* — 10 *August* 1866.

VOL. LXXV.

1866.

ACCOUNTS AND PAPERS:

1866.

THIRTY-NINE VOLUMES:—CONTENTS OF THE

THIRTY-SEVENTH VOLUME.

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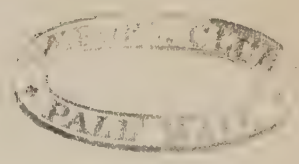

CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS

AT

SIERRA LEONE, HAVANA, THE CAPE OF GOOD HOPE, LOANDA, AND NEW YORK;

AND

REPORTS FROM

BRITISH VICE-ADMIRALTY COURTS,

AND FROM

BRITISH NAVAL OFFICERS,

RELATING TO

THE SLAVE TRADE

From January 1 to December 31, 1865.

Presented to both Houses of Parliament by Command of Her Majesty.
1866.

LONDON:
PRINTED BY HARRISON AND SONS.

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CORRESPONDENCE

WITH

BRITISH COMMISSIONERS.

SIERRA LEONE.

No. 1.

Her Majesty's Acting Judge to Earl Russell.—(*Received February* 10, 1865.)

My Lord, *Sierra Leone, December* 31, 1864.

I HAVE the honour to acquaint your Lordship that no slaves have been emancipated, and consequently none have been registered, by the Courts of Mixed Commission at this station during the half-year ending this day.

I have, &c.

(Signed) SAM. W. BLACKALL.

No. 2.

Her Majesty's Acting Judge to Earl Russell.—(*Received February* 10, 1865.)

My Lord, *Sierra Leone, December* 31, 1864.

I HAVE the honour to forward to your Lordship a return of the only case adjudicated in the British and Spanish Mixed Commission Court of Justice established in this Colony, during the half-year ending this day.

I have, &c.

(Signed) SAM. W. BLACKALL.

Inclosure in No. 2.

RETURN of Vessels adjudicated by the British and Spanish Mixed Court of Justice established at Sierra Leone, from July 1 to December 31, 1864.

Name of Vessel.	Name of Master.	Date of Seizure.	Where captured.		Property seized.	Seizor.	Date of Sentence.	Number of Slaves captured.	Number died before adjudication.	Total Number emancipated.	Tonnage.		Decretal part of Sentence, whether Forfeiture or Restitution.	Whether property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.
											According to the Papers.	English. New Measurement.		
		1864	Lat.	Long.			1864					Rule 1 17 and 18 Vict., c. 104, s. 21.		
America -	Antonio Bisquert.	April 5	13° 57′ S.	46° 4′ E.	Ship and cargo -	William Cox Chapman. Esq., Commander H.M.S. "Ariel."	Aug. 25	....	....	....	602	$586\frac{41}{100}$	Forfeiture - -	The vessel demolished and sold, with her cargo; proceeds paid into the Treasury chest in this colony.

Sierra Leone, December 31, 1864.

(Signed) WM. SMITH, *Registrar.*

No. 3.

Her Majesty's Acting Judge to Earl Russell.—(*Received February* 10, 1865.)

My Lord, *Sierra Leone, December* 31, 1864.

I HAVE the honour to acquaint your Lordship that no cases have been adjudicated in the British and Netherlands, Chilean, Argentine, Uruguayan, Bolivian, Equatorial, and United States' Mixed Courts of Justice, established in this Colony for the prevention of the illicit Traffic in Slaves, during the half-year ending this day.

I have, &c.
(Signed) SAM. W. BLACKALL.

No. 4.

Her Majesty's Acting Judge to Earl Russell.—(*Received March* 13.)

My Lord, *Sierra Leone, February* 8, 1865.

I HAVE the honour to transmit herewith to your Lordship a Return of vessels captured on suspicion of being engaged in the Slave Trade, which have been adjudicated by the Vice-Admiralty Court in this Colony during the half-year ending 31st December, 1864, under the Acts 5 Geo. IV, cap. 113, and 2 and 3 Vict., cap. 73.

I have, &c.
(Signed) SAM. W. BLACKALL.

Inclosure in No. 4.

RETURN of Vessels captured on suspicion of being engaged in Slave Trade, and adjudicated by the Vice-Admiralty Court at Sierra Leone, from July 1 to December 31, 1864.

Name of Vessel.	Flag.	Name of Master.	Date of seizure.	Where captured.	Property seized.	Seizor.	Date of Sentence.	Number of Slaves captured.	Number died before adjudication.	Total Number emancipated.	Tonnage, English.	Decretal part of Sentence, whether Forfeiture or Restitution.	Statute under which Sentence was passed, or Prosecution instituted.	Whether the property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.	Remarks.
			1864	Lat. Long.			1864				Tons.				
Canoe	None ...	Brimah Fonnah ...	Aug. 30	Off K	Canoe and contents	J. B. Elliot, Manager of Kent	Sept. 10	4	...	4	...	Forfeiture .	5 Geo. IV, c. 113	Canoe and contents sold by public auction; proceeds not sufficient to pay expenses; deficiency to be paid by captor.	
Melvira, *alias* Charles	None ...	Charles Adolpho Schott	July 22	3° 30′ S. 10° 30′ E.	Brigantine and stores	F. W. Richards, Esq., Commander of Her Majesty's ship "Dart"	Aug. 19	...	...	...	$152\frac{51}{100}$	Ditto ...	2 & 3 Vict., c. 73	Vessel broken up; materials and stores sold by public auction; net proceeds, 597*l.* 19*s* $7\frac{3}{4}$*d.*, paid into the military chest.	This vessel had no papers or colours.
Ricardo Schmidt	Italian ...	Bartolomeo Casanova ...	Aug. 2	Port of Sierra Leone	Ship and stores ...	Lieut. M. J. Dunlop, R.N.	Sept. 26	...	...	...	...	Restitution	5 Geo. IV, c. 113	... ...	The Judge certified that there were probable grounds for making this seizure.
Canoe	None ...	Momodoo Behloh, and Harroonah	Sept. 6	Off the village of Kissy, in the Colony of Sierra Leone	Canoe and contents	Thos. Pike, Esq., Harbour-master of Port of Sierra Leone	Sept. 16	14	...	14	...	Forfeiture .	Ditto ...	Canoe and contents sold at public auction; proceeds not sufficient to pay expenses; deficiency to be paid by captor.	
Unknown ...	None ...	Unknown	Nov. 18	Componee River	Schooner and contents	W. F. Ruxton, Esq., Commander of Her Majesty's ship "Pandora"	Dec. 26	...	...	...	$243\frac{88}{100}$	Ditto ...	2 & 3 Vict., c. 73	This vessel was aground, and was burnt. The figure-head and two pieces of Muntz metal were brought here, but being of no value it was thought better not to incur the expense of sale.	This vessel had no papers or colours.

(Signed) THOMAS MARSTON, *Registrar.*

No. 5.

Mr. Smith to Earl Russell.—(*Received July* 17.)

(Extract.) *Sierra Leone, June* 20, 1865.

I BEG to inform your Lordship of the death of George Skelton, Esquire, Her Majesty's Judge of the Mixed Courts established in this Colony, on the morning of the 22nd ultimo, after nine days' illness of remittent fever.

No. 6.

Mr. Smith to Mr. Layard.—(*Received August* 11.)

Sir, *Sierra Leone, July* 1, 1865.

I HAVE the honour to acquaint you that no cases have been adjudicated in the several British and Foreign Mixed Courts of Justice established in this Colony for the prevention of the illicit Traffic in Slaves during the half-year ending on the 30th of June, 1865.

I have, &c.

(Signed) WM. SMITH, *Registrar.*

No. 7.

Mr. Smith to Earl Russell.—(*Received August* 11.)

My Lord, *Sierra Leone, July* 1, 1865.

I HAVE the honour to acquaint your Lordship that no slaves have been emancipated, and consequently none have been registered by the Mixed Courts of Justice at this station during the half-year ending on the 30th June 1865.

I have, &c.

(Signed) WM. SMITH, *Registrar.*

No. 8.

Her Majesty's Acting Judge to Earl Russell.—(*Received December* 11.)

My Lord, *Sierra Leone, September* 30, 1865.

I HAVE the honour to submit my report on the Slave Trade for the year ending this day.

During that period no case has been brought before the British and foreign Mixed Courts of Justice established in this Colony.

The total number of cases adjudicated, and the number of slaves emancipated and registered by the Mixed Courts, remain the same as reported last year.

In the Vice-Admiralty Court of this Colony four cases have been adjudicated.

One a brigantine without nationality seized and destroyed by fire on the 18th of November, 1864, by Commander Ruxton, of Her Majesty's ship "Pandora," in the River Componee, northward of this colony, and condemned on the 26th December, 1864, under the Act 2 and 3 Vict., cap. 73. She was of $245\frac{86}{100}$ tons British measurement by the certificate of the Collector of Customs, and had grounded on an island or rock in a creek of the river, and could not be got off. It was ascertained that sixty-seven slaves had been landed before seizure, and that other slaves were being collected in the neighbourhood.

The other three cases were canoes with slaves, taken in British waters under warrants of deputation from Governor Blackall, and condemned under the Act 5 Geo. 4, cap. 113, and the slaves emancipated and registered.

The first, a canoe with fourteen slaves, seized by Thomas Pike, the Harbour Master, off Kissy village in the Sierra Leone river, owners Belloh and Arroonah, and condemned on the 22nd October, 1864.

The second, a canoe with four slaves, seized off said Kissy village by John Bucknor Elliot, the manager of the western district of the colony, owner and master unknown, and condemned on the same 22nd October, 1864.

And the third, a canoe with five slaves, seized by said J. B. Elliot, and condemned on 16th June, 1865.

As well as I have been able to ascertain from information given to me by persons best able to advise me correctly, advantage has been taken by slave-dealers of the absence of cruizers from Sierra Leone, and the slave districts adjoining, to collect and carry off slaves from the rivers of those districts, and I am assured that there have been several successful embarkations, the brigantine without nationality, burnt by Commander Ruxton of the "Pandora," having been another but unsuccessful attempt.

I have no correct data to govern me in any report as to the coast to the south and elsewhere, but no doubt the Commodores on the station will have given the necessary and correct information.

I have, &c.

(Signed) HORATIO JAS. HUGGINS.

HAVANA.

No. 9.

Her Majesty's Commissary Judge to Earl Russell.—(*Received January* 1, 1865.)

(Extract.) *Havana, November* 28, 1864.

I HAD the honour to pay an official visit yesterday to his Excellency General Dulce, the Captain-General of this Island, by whom I was received with the greatest courtesy.

I was accompanied by Mr. Crawford, Her Majesty's Vice-Consul, and as the conversation during our interview, which was of some duration, related almost exclusively to matters connected with the Slave Trade, I discharge a pleasing duty in reporting its tenour to your Lordship.

It is impossible that any one should express himself more strongly against this infamous Traffic than General Dulce did. He alluded to the several instances in which he had interposed with vigour either to prevent the landing of negroes from Africa in this island, or to punish those who had connived at the infraction of the law in cases where a disembarkation had actually taken place. He pledged himself to put in force every lawful means to suppress the Traffic, and to allow no consideration of social influence or even of private friendship to stand between him and the execution of his duty.

I thought it not inexpedient, in replying to General Dulce, to assure him that his upright and honourable conduct in the matter of the Slave Trade since his arrival in Cuba was fully appreciated by Her Majesty's Government, who had seen with the greatest pleasure his determination to carry out the provisions of a Treaty to which Great Brittain attached so much importance. I added that Her Majesty's Government were quite aware of the many difficulties with which his Excellency had to contend in suppressing a Traffic which possessed so many attractions for unscrupulous men and left such enormous profits to those who conducted it with even moderate success. But Her Majesty's Government had every confidence in his Excellency's honesty of purpose, and earnestly hoped that he would not relax his efforts to carry out the orders of his own Government and the Treaty on which those orders were based.

I stated further to General Dulce that whilst it would be my duty to bring to his Excellency's notice any information which I might receive respecting intended infractions of the Treaty, I should be very careful to avoid vexatious complaints or intentional errors of fact. But as it was very possible that I might occasionally be myself deceived by false reports, I entreated his indulgence should I be so unfortunate as to give him trouble which subsequent events might prove to have been unnecessary. General Dulce replied that he was very often himself deceived by false intelligence, in many cases designedly conveyed to him, and that every allowance should be made for the difficulties which attended the production of trustworthy evidence respecting a matter so enveloped in mystery and falsehood as the Slave Trade.

To-day, at the levée, his Excellency said to me as I was taking leave, "Send me all the information you can get, be it true or false; we will do our best to sift it."

I trust that your Lordship will be satisfied with these declarations of General Dulce, and that you will be pleased to approve of the language which I held to his Excellency.

No. 10.

Earl Russell to Her Majesty's Commissary Judge.

Sir, *Foreign Office, January* 5, 1865.

I HAVE received your despatch of the 28th of November last, reporting a conversation which you held with the Captain-General of Cuba on the subject of the Slave Trade, and I have to convey to you my approval of your language on that occasion.

I am, &c.
(Signed) RUSSELL.

No. 11.

Her Majesty's Commissary Judge to Earl Russell.—(Received January 30, 1865.)

My Lord, *Havana, December* 31, 1864.

I HAVE the honour of reporting to your Lordship that no emancipated negroes have been sent from this to Jamaica during the year now ended.

I have, &c.
(Signed) ROBERT BUNCH.

No. 12.

Her Majesty's Commissary Judge to Earl Russell.—(Received January 30.)

My Lord, *Havana, January* 1, 1865.

IN obedience to the Act 5 Geo. IV, cap. 113, directing such Returns to be made on the 1st of January and 1st of July in each year, I have the honour to report that there was no case brought for adjudication before the Mixed Court of Justice at this place during the last six months.

I have, &c.
(Signed) ROBERT BUNCH.

No. 13.

Earl Russell to Her Majesty's Commissary Judge.

Sir, *Foreign Office, April* 30, 1865.

I TRANSMIT to you herewith a copy of a letter from the Commander of Her Majesty's ship "Griffon,"* which has been communicated to me by the Lords Commissioners of the Admiralty, containing information respecting the movements of the notorious Spanish slave-steamer "*Ciceron*," which vessel has been again thwarted in an attempt to ship a cargo of slaves from the African coast.

I am, &c.
(Signed) RUSSELL.

No. 14.

Her Majesty's Commissary Judge to Earl Russell.—(Received May 30.)

(Extract.) *Havana, May* 2, 1865.

ON the 23rd of April I received, at an early hour of the morning, a letter stating that there was some reason to believe that a landing of about 300 negroes from Africa had occurred very recently near Matanzas.

I immediately addressed to the Captain-General of Cuba the letter of which a copy is inclosed, and took it myself to the palace by 8 A.M. His Excellency was hearing mass outside the town, and it appears that he afterwards went into the

* Inclosure 3 in No. 65.

country, and did not return until the afternoon of the 25th. He then caused to be addressed to me the letter of which I inclose a translation.

His Excellency commences by assuring me that he did not receive my letters until that afternoon, and goes on to say that I had been misinformed as to the reported landing, as he was quite certain that nothing of the sort had occurred.

On the following morning I called upon the Captain-General, who reiterated his denials, and assured me that he would answer "with his head" for the impossibility of a landing having been effected.

Under these circumstances I thought it better to address to the Captain-General the letter of which I have the honour to inclose a copy. I allude to the rumours which were in circulation, but profess myself glad to accept his Excellency's positive assurances, written and verbal, that they had no foundation. I trust that your Lordship will approve of my having done so.

As regards the landing itself I really do not know what to say. It is, of course, quite possible that it may have been effected without the knowledge of the Captain-General. On the other hand, there is an absence of ocular proof, which is unusual. It is scarcely probable that, landing so near to a large town like Matanzas, no one should have seen the negroes.

After much deliberation I came to the conclusion that it was better not to insist upon the correctness of my information against the energetic denial of the Captain-General, whose course hitherto has been such as to inspire me with confidence in his sincerity.

Inclosure 1 in No. 14.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Most Excellent Sir, *Havana, April* 23, 1865.

I HAVE the honour to acquaint your Excellency that there is good reason to believe that a cargo of Bozal negroes has been landed within the last forty-eight hours near the port of Matanzas. I am informed that the Spanish schooner "*Antonia*" brought about 300 of them to Matanzas.

I entreat your Excellency to cause immediate inquiry to be made into the truth of this allegation, if the intelligence should not have already reached you and been acted upon.

I have, &c.
(Signed) ROBERT BUNCH.

Inclosure 2 in No. 14.

The Secretary to the Captain-General of Cuba to Her Majesty's Commissary Judge.

(Translation.)

My dear Sir, *Havana, April* 25, 1865.

HIS Excellency the Governor and Captain-General has just now (half-past 3 P.M.) returned from the country, and read your private letter and official despatch, in which you inform him that a landing of negroes from Africa has taken place near Matanzas.

His Excellency directs me to assure you, in reply, that it is not the case that any such landing has taken place, and that if you will examine carefully into the matter you will find that the information given to you is false.

You can continue to lay before the Governor and Captain-General any further information which you may receive on this subject, in the certainty that you will always find the best desire on his part to destroy the Traffic in Slaves; but his Excellency assures you that on this occasion you have been deceived.

I renew, &c.
(Signed) JOSE VALLS Y PUIG.

Inclosure 3 in No. 14.

Her Majesty's Commissary Judge to the Captain-General of Cuba.

Most Excellent Sir, *Havana, April* 29, 1865.

WITH reference to my letter to your Excellency of the 23rd instant, on the subject of a supposed landing of negroes from Africa near Matanzas, and to your Excellency's reply of the following day, in which you assure me that no such violation of the law has taken place, I have the honour to state that I have instituted further inquiries into the matter.

The result has been, that whilst my informant maintains that a very general impression prevails at Matanzas that negroes have been lately brought there, I am unable to furnish your Excellency with details or particulars respecting them.

Under these circumstances I am most happy to accept your Excellency's assurances, written and verbal, that I have been misinformed. It was also satisfactory to me to learn from your Excellency that the Lieutenant-Governor of Matanzas is an officer of the highest integrity, in whose activity and zeal you place entire confidence.

With high consideration, &c.
(Signed) ROBERT BUNCH.

No. 15.

Earl Russell to Her Majesty's Commissary Judge.

Sir, *Foreign Office, June 7*, 1865.

I HAVE received your despatch of the 2nd ultimo, inclosing copies of a correspondence which has passed between you and the Captain-General of Cuba, relative to the landing of a cargo of about 300 slaves, which is reported to have taken place in the neighbourhood of Matanzas.

You acted quite rightly in bringing to the notice of the Captain-General the information received by you of the reported landing of these slaves; and I have at the same time to inform you that I approve of your not having insisted on the correctness of your information in the absence of further proof, and in the face of the assurance of the Captain-General that the landing had not taken place.

I am, &c.

(Signed) RUSSELL.

No. 16.

Her Majesty's Commissary Judge to Earl Russell.—(Received June 29.)

My Lord, *Havana, May* 27, 1865.

I HAVE the honour to acknowledge the receipt of Mr. Layard's despatch of the 30th of April, together with its inclosure, on the subject of the movements of the notorious Spanish steam-slaver "*Ciceron*" whilst on the coast of Africa.

It will have been seen by my despatches to your Lordship of the 1st of March and of the 3rd of April, 1865, that the "*Ciceron*" has been in this neighbourhood, without, however, having landed any negroes. She is now, as I believe, in New York, under Mexican colours and the name of "*Margarita Quintero.*" I am informed by Mr. Archibald that she is under the surveillance of the authorities of the United States.

I have, &c.

(Signed) ROBERT BUNCH.

No. 17.

Her Majesty's Commissary Judge to Earl Russell.—(Received July 29.)

My Lord, *Havana, July* 1, 1865.

IN obedience to the Act 5 Geo. IV, cap. 113, directing such Returns to be made on the 1st of January and the 1st of July in each year, I have the honour to report that there was no case brought for adjudication before the Mixed Court of Justice at this place during the last six months.

I have, &c.

(Signed) ROBERT BUNCH.

No. 18.

Her Majesty's Commissary Judge to Earl Russell.—(Received October 30.)

My Lord, *Havana, September* 30, 1865.

I HAVE the honour to transmit herewith the Annual Report on the Slave Trade in Cuba, which is required by my instructions.

In the interval between the 30th of September, 1864, and my arrival in Havana on the 25th of November, I find that Mr. J. V. Crawford had received information of three landings of negroes, viz., at Canasi, at Camarioca, and at Mangles Altos. The last two may, I believe, be dismissed as apocryphal, as Mr. Crawford has reported that there is no proof concerning them.

As regards the first-named supposed landing, viz., that of Canasi, more ground for question appears to exist. Mr. Crawford is decidedly of opinion that about

600 negroes were landed from this expedition, and that none of them were captured. On the other hand, the Secretary of the Government denies most positively that there is any proof of the fact, I have myself gone carefully with that officer over all the documents connected with the investigation, beginning with the letter of Mr. Crawford to General Dulce, and ending with the Report of the Judge of the Audiencia, who was sent to inquire into the matter. These papers are voluminous, and were submitted to me freely, so that I could see them for myself. All the Spanish officials concur in denying that the expedition ever landed. Under these circumstances, and with the concurrence of Mr. Crawford, I have thought it advisable not to insert these 600 negroes in the Table; but there is certainly some room for doubt in the matter.

I am able to report that since the date of my arrival in Havana there has been, to the best of my belief, but one case of introduction of negroes from Africa into any part of Cuba. This case has occurred within the last few days; the negroes, to the number of about 145, were successfully landed, but 103 of them were immediately apprehended by the Spanish authorities. Several of the persons supposed to have been engaged in the expedition have also been arrested. This landing is reported to your Lordship in my despatch of the 26th instant.

It is of course possible that the belief I have expressed above may be a mistaken one, but the concurrent testimony of the Captain-General, of the Spanish officers at the outports, of our own Consular Agents, of the Commanders of Her Majesty's cruizers off the coast of Cuba, and of private individuals, tends to satisfy me that an entire change has come, during the last twelve months, over the Traffic in Slaves between the coast of Africa and this island.

Your Lordship is aware that I have had the honour to report three cases of supposed landings since my assumption of the duties of this Consulate-General. The first was stated to have taken place near Matanzas in April; the second near Cardenas, in May; and the third near Ensenada de los Cochinos at the end of July. The result of the careful investigation which was instituted in each of these cases led to the conclusion either that the landings had been so skilfully conducted as to baffle all detection, or that they had never taken place at all. My own opinion is in favour of the latter alternative.

Whilst congratulating your Lordship upon a condition of affairs so unusual and so satisfactory, it may not be out of place that I should offer a few remarks upon the causes which have probably contributed in a great degree to its existence.

They are two in number.

The first is, undoubtedly, the determination of the present Captain-General Dulce to suppress the Traffic by all the means at his command. In this course his Excellency is guided both by his instructions from his Government, and, as he always assures me, by his own views of the duties which Spain owes to humanity and to the stipulations of Treaties.

This honest and straightforward conduct of the chief authority of Cuba naturally produces a great effect upon his subordinate officers. It increases the risk of detection, and diminishes the profit of a slaving expedition by raising the price of bribes, of places of refuge for newly arrived negroes, and the general cost of these nefarious undertakings. It is, therefore, difficult to overestimate the value of such conduct as that of General Dulce, whose approaching departure from this Government I consider a subject of regret.

An idea is also prevalent in this community with regard to General Dulce, that in the matter of slave-trading he would strain the law to the very uttermost in the pursuit of newly landed expeditions, and that he might even be induced to assume some responsibility in adopting measures for their detection which are, perhaps, not strictly contemplated by existing legislation. This impression, whether well-founded or not, has its weight in discouraging the evil-doers.

The second cause of the intermission of the Slave Trade which I propose to advert to is, to my mind, a powerful one. I mean the uncertainty which prevails as to the future condition of the coloured race in Cuba. The late important events in the United States, joined to the recent abandonment of Santo Domingo by the Spanish forces, have excited, not unnaturally, alarm and mistrust. Every one here professes to believe that the emancipation of the negroes is a question of time only, and there is, therefore, a disinclination to invest money in a property the right to which may be questioned, more or less rudely, at no distant period.

There is, however, no doubt that labour is much needed in Cuba. To meet

this want, numerous cargoes of coolies are arriving from China, as I have already had the honour to report to your Lordship.

It is beyond my power to hold out hopes for the future based upon the events of the past year. But it is, at least, a satisfaction to know that much human misery has been saved by the present state of the Traffic.

If the Government of Madrid will continue its present policy, and the future Captains-General of Cuba will carry it out as faithfully as General Dulce, the shameful Traffic will be, at the least, conducted under difficulties which must act powerfully towards its ultimate repression.

I beg leave to inclose, herewith, to your Lordship, a statement of the slaves reported to have been landed and captured in Cuba from the 1st of October, 1864, to the 30th of September, 1865.

I have, &c.
(Signed) ROBERT BUNCH.

Inclosure in No. 18.

STATEMENT of the number of Slaves reported to have been landed and captured in Cuba from October 1, 1864, to September 30, 1865.

Date of Landing.	Where Landed or Captured.	Number of Slaves.		Vessel.	Remarks.
		Landed.	Captured.		
1865. Sept. 19 and 20	Pinar del Rio ..	145	143	A small brigantine, name unknown.	Captured by Spanish authorities, on information procured by themselves.

(Signed) ROBERT BUNCH, *Her Majesty's Commissary Judge.*

Havana, September 30, 1865.

CAPE OF GOOD HOPE.

No. 19.

Her Majesty's Commissioner to Earl Russell.—(*Received February* 13.)

My Lord, *Cape Town, January* 6, 1865.

I HAVE the honour to report to your Lordship that no case has been adjudicated by these Mixed Courts of Justice during the half-year ending December 31, 1864.

I have, &c.
(Signed) GEO. FRERE.

No. 20.

Her Majesty's Commissioner to Earl Russell.—(*Received February* 13.)

My Lord, *Cape Town, January* 6, 1865.

IN pursuance of instructions given to us in the Earl of Aberdeen's despatch of the 20th of February, 1843, by which Her Majesty's Commissioners are directed to transmit at the close of each year a detailed report of the judicial proceedings of this Mixed Commission, I have the honour to report that no case has been adjudicated by the Court during the year ending December 31, 1864.

I have, &c.
(Signed) GEO. FRERE.

No. 21.

Her Majesty's Commissioner to Earl Russell.—(*Received February* 13.)

My Lord, *Cape Town, January* 6, 1865.

WITH reference to instructions given to Her Majesty's Commissioners to transmit to the Foreign Office a certified copy of the register of emancipated slaves, emancipated by sentence of this Mixed Commission, I have the honour to acquaint your Lordship that no vessel with slaves on board has been brought before them during the year ending December 31, 1864.

I have, &c.
(Signed) GEO. FRERE.

No. 22.

Her Majesty's Commissioner to Earl Russell.—(*Received February* 13.)

My Lord, *Cape Town, January* 6, 1865.

I HAVE the honour to transmit to your Lordship a Report drawn up by the Mixed Commission of which I am a member, in compliance with the provisions of Article XI, Annex B to the Treaty of July 3, 1842, between Great Britain and Portugal for the suppression of the Traffic in Slaves, relating—

1st. To the cases which have been brought before the Court for adjudication;

2ndly. To the state o the liberated negroes;

3rdly. To the treatment and progress made in the religious and mechanical education of the liberated negroes.

I have also the honour to inform your Lordship that my Portuguese colleague is about to transmit a duplicate original of this Report to the Government of His Most Faithful Majesty.

I have, &c.
(Signed) GEO. FRERE.

Inclosure in No. 22.

Annual Report of Mixed Commission.

IN pursuance of Article XI of Annex B to the Treaty concluded on the 3rd of July, 1842, between Great Britain and Portugal for the suppression of the Traffic in Slaves, by which it is stipulated that the Mixed Commissions shall transmit annually to each Government a Report relating—

1. To the cases which have been brought before them for adjudication;
2. To the state of the liberated negroes;
3. To every information which they may be able to obtain respecting the treatment and the progress made in the religious and mechanical education of the liberated negroes;—

The Undersigned, members of the Mixed Commission established at the Cape of Good Hope, have the honour to report to the Government of Her Britannic Majesty and to the Government of His Most Faithful Majesty that no case has been brought before them for adjudication during the year ending December 31, 1864, and that no negroes have been emancipated by decree of this Mixed Commission since its establishment.

(Signed) GEO. FRERE. EDUARDO A. DE CARVALHO.
HENRY N. BIDWELL, *Acting Registrar.*

Mixed British and Portuguese Commission, Cape Town,
Cape of Good Hope, December 31, 1864.

No. 23.

Her Majesty's Commissioner to Earl Russell.—(Received February 13.)

My Lord, *Cape Town, January* 6, 1865.

I HAVE the honour to inform your Lordship that no slaves have been emancipated by sentence of this Mixed British and United States' Court of Justice during the year ending December 31, 1864.

I have, &c.
(Signed) GEO. FRERE.

No. 24.

Her Majesty's Commissioners to Earl Russell.—(Received June 10.)

My Lord, *Cape Town, April* 18, 1865.

WE have the honour to report to your Lordship the arrival in Simon's Bay of the ship "Avon," of 1,086 tons, conveying 500 coolies to Havana.

This vessel left Macao on the 27th of January last and arrived here on the 16th instant. She is sailing under Sardinian colours and papers.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 25.

Her Majesty's Commissioners to Earl Russell.—(Received June 10.)

My Lord, *Cape Town, April* 26, 1865.

WE have the honour to transmit to your Lordship a report of the cases of two dhows adjudicated in the Court of Vice-Admiralty of this Colony this day, and condemned as good prizes to Her Majesty's ship "Orestes."

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

Inclosure in No. 25.

Report of the cases of two Dhows condemned in the Vice-Admiralty Court, on the 26th of April, 1865.

No. 1. A DHOW of about 90 tons, name and nation unknown. This vessel was observed on the 14th September, 1864, by Her Majesty's ship "Orestes," off Magadoxa, standing to the northward. Upon seeing the "Orestes" she altered her course and stood for the land; the "Orestes" followed in chase, and firing shot to bring her to, but she continued her course, showing no colours until she ran on shore, Her Majesty's ship "Orestes" not being able to approach her on account of the shoal water. Captain Garduer sent Lieutenant Lang in charge of the first and second cutter for the purpose of searching her if possible; but owing to the heavy surf breaking over her as she lay on her broadside the captors were prevented from boarding her. They observed, however, the crew, distinguished by their clothing, driving the slaves (about 150 in number) overboard to the shore. Captain Gardner then completed the destruction of this dhow by firing a shell into her.

No. 2. A dhow of $69\frac{9}{35}$ tons, name and nation unknown. This dhow was captured on the 4th of January, 1865, by Lieutenant Blake, in command of the cutter and gig of Her Majesty's ship "Orestes," Captain A. H. Gardner, in Kokolony Bay, where the captor had been sent by Captain Gardner in consequence of information he had received. Upon his arrival he found several vessels at anchor, and on standing towards them he intercepted a boat containing four naked negroes which he had seen come off from one of the dhows. Upon this the dhow was searched, and was found to have Arab colours and papers, to be fully equipped for the Slave Trade, with a crew of 10 men and 5 passengers, and 27 slaves (men, women, and children); making together with those taken in the boat a total of 31.

The captor then took the dhow to Zanzibar, where the slaves, crew, and passengers, were delivered to His Highness the Sultan.

The papers were delivered to Her Majesty's Consul for the purpose of transmission to the Custom-house authorities at Zanzibar, and they proved on examination to be an old Zanzibar pass given for a former voyage.

His Highness caused the crew to be imprisoned and the dhow to be destroyed within the harbour of Zanzibar, she being unfit for a voyage to a British port of adjudication.

No. 26.

Her Majesty's Commissioners to Earl Russell.—(Received June 10.)

My Lord, *Cape Town, May 1, 1865.*

WE have the honour to lay before your Lordship some information which we have recently received respecting the Slave Trade on the East Coast of Africa.

We regret to learn that, although no shipments in foreign vessels for the West Indies or Brazil appear to have been effected, the trade in dhows from the neighbourhood of Mozambique has very much increased: 291 negroes were recently taken in two dhows, captured by two of His Most Faithful Majesty's cruizers, the "Mariana" and the "Andorinha," and eleven more dhows were known to be collecting slaves in the neighbourhood. It is said that this traffic is carried on for the supply of engagés to the French possessions in the Channel and Réunion, and there is reason to believe that two or three small cargoes have been taken into Johanna.

With regard to the Slave Trade from the northward, we learn that the demand for slaves in Arabia and Persia is very great, and the prices very high, so that large numbers of slaves are collected, not only at Zanzibar but at many of the small ports on the mainland as far up as Quiloa. Fewer dhows, however, than usual have come down this season, owing to a great number having been destroyed in the hurricane of last year. Two dhows have been taken near Zanzibar by Her Majesty's ship "Orestes," as reported in our despatch of the 26th April.

The trade in the neighbourhood of Mozambique requires all the attention of one cruizer from the middle of April until December, and the Governor-General of Mozambique has expressed a wish that one of Her Majesty's ships should be so employed; but the trade to the north also requires to be closely watched, and there being but three vessels for this purpose, one of which is stationed off Guardafui, we still doubt very much whether Her Majesty's cruizers are in sufficient number to do the work effectually.

Whether shipped in the Mozambique or further northward, however, it must be borne in mind that the unhappy slaves are almost all supplied by the country lying beyond the Portuguese territory, and the continuance of the traffic may fairly be attributed, in a great degree, to the restrictions with which the Portuguese authorities have fettered commerce along the 600 miles of coast over which she claims sovereignty. In the opinion of Captain Gardner, after an experience of three years upon this station, Portugal has by these restrictions stopped legal trade on

the whole coast, and left her own subjects and the native Chiefs nothing but the Slave Trade to depend upon.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 27.

Her Majesty's Commissioners to Earl Russell.—(Received June 20.)

My Lord, *Cape Town, May* 10, 1865.

WITH reference to our despatch of the 18th ultimo we have the honour to report to your Lordship the arrival at this port, on the 7th instant, of two more vessels conveying Chinese coolies to the West Indies.

1st. The barque "Emmanuel," 328 tons, Lather de Condray, master, which left Macao on the 4th of March, bound to Havana, with 151 Chinese coolies, of whom six died from general debility on the passage to this port, and three were shot by the captain "for attempting to revolt."

2nd. The British ship "Ganges," of 840 tons, James Nourse, master, which left Calcutta on the 1st of March last, bound to Demerara, with 300 coolies, 50 of whom died from fever during the voyage to this port.

On the demand of Captain Nourse an inquiry was instituted into the cause of the deaths of these men by the authorities here, which resulted in the removal of the surgeon from the vessel, and the appointment of another gentleman in his place.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 28.

Her Majesty's Commissioners to Earl Russell.—(Received August 17.)

My Lord, *Cape Town, June* 30, 1865.

WE have the honour to report to your Lordship that no case has been adjudicated by these Mixed Courts of Justice during the half-year ending this day.

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

No. 29.

Earl Russell to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, October* 18, 1865.

I TRANSMIT to you, for your information, a copy of a despatch from Her Majesty's Consul-General at Havana,* relative to the movement of the Mexican steamer "*Margarita Quintero*," formerly the Spanish ship "*Ciceron*."

I am, &c.
(Signed) RUSSELL.

No. 30.

Her Majesty's Commissioners to Earl Russell.—(Received November 16.)

My Lord, *Cape Town, September* 23, 1865.

WE have the honour to transmit to your Lordship a report of the cases of seven dhows, adjudicated in the Court of Vice-Admiralty of this Colony on the 11th

* Class B, No. 193.

and on the 23rd instant, and condemned as good prizes to Her Majesty's ship "Rapid."

We have, &c.
(Signed) GEO. FRERE.
E. L. LAYARD.

Inclosure in No. 30.

Report of the cases of Seven Dhows condemned in the Vice-Admiralty Court on the 11th and 22nd of September, 1865.

No. 1. A dhow of 82·58 tons, name and nation unknown, captured on the 13th of March, 1865, by Lieutenant Webber, while cruizing off the town of Paza, to the northward of Lamoo, in command of the pinnace, cutter, and whaler of Her Majesty's ship "Rapid," Commander Jago. This vessel was observed beached off the town of Paza; and as the boats approached her crew were seen removing their goods from the vessel to the shore. Upon being searched she was found deserted, without colours or papers, completely fitted for the Slave Trade, and, from the appearance of the slave-deck, had evidently conveyed a cargo of slaves.

Upon the same day Lieutenant Webber called upon the native Governor of Paza, an officer of his Highness the Sultan of Zanzibar, who informed him that he had received orders from the Governor of Lamoo to look out for this dhow, as she was a notorious slaver; that she had succeeded in landing a cargo of slaves three or four days before; and that these slaves were only waiting for the departure of the cruizers to be shipped off to the northward.

No. 2. A dhow of 62·2 tons, name and nation unknown, captured on the 31st of March, 1864, by Her Majesty's ship "Rapid," Commander Jago, while cruizing off Brava. This dhow was observed under sail, and, seeing the "Rapid," changed her course and ran on shore on the beach of the mainland, about nine miles north of Brava; whereupon Commander Jago dispatched Lieutenant Dupuis in command of the gig and whaler to board and examine her. As the boats approached the cove where the dhow was beached, several Arabs, supposed to be part of the crew, were observed watching the boats from the sandhills, and to fire a musket at the leading boat. Upon boarding this vessel, which was a Bedouin, the captain found her totally deserted, without colours or papers, and completely fitted for the Slave Trade, while, from the appearance of the slave-deck it was evident she had just landed a cargo of slaves.

No. 3. A dhow of 35·73 tons, name and nation unknown, captured on the 11th of April, 1864, by Her Majesty's ship "Rapid," Commander Jago, off Dwinford Port. This vessel was observed standing to the northward, and upon the "Rapid" altering her course for the purpose of hailing her, the dhow also changed her course, with the obvious intention of running on shore; but Her Majesty's ship "Rapid," being under steam at the time, succeeded in intercepting her. Commander Jago then dispatched Lieutenant Dupuis to board and examine her. Upon searching her she was found to be without colours or papers, completely fitted for the Slave Trade, and with a crew of thirteen men—Somali Arabs. The crew, at their own request, were put on board another dhow, a lawful trader bound to the northward, and which agreed to receive them.

No. 4. A dhow of 74·54 tons, name and nation unknown, captured on the 14th of May, 1864, by Her Majesty's ship "Rapid" while cruizing off Pawba. This dhow was observed at sunset off the north point of that island, running to the northward. Her Majesty's ship "Rapid" then followed in chase, firing a gun to bring her to, but without effect, but eventually overhauled her off Wassoen. Commander Jago then dispatched Lieutenant Dupuis to board and search her, and, upon examination, the captor found her to be without colours or papers, completely fitted for the Slave Trade, and to have seventy-five slaves of both sexes, chiefly children, on board. She had a crew of fifteen hands—Somali Arabs, who stated that they had come from Zanzibar, and were bound to the Persian Gulf. The next morning the crew, at their own request, were removed to another vessel bound to the north, her master consenting to receive them, and declining to accept any recompense in return. The slaves were taken on board Her Majesty's ship "Rapid" and conveyed to Seychelles, where they were all landed and delivered over to the Civil Commissioner of that Settlement, with the exception of two who died from dysentery on the voyage.

No. 5. A dhow of 52·4 tons, name and nation unknown, captured on the 15th of May, 1864. On the previous day Lieutenant Webber was proceeding, by orders of Commander Jago, through Tongony Gap, in the island of Peruba, taking with him the cutter, whaler and gig of Her Majesty's ship "Rapid," for the purpose of examining the creeks on the west side of the island. On the same evening he was informed by a native of the island that a northern dhow had arrived at the island on the 7th of the month with a full cargo of slaves, and having disembarked them was at the time hauled up above high-water mark in an adjoining creek, intending to re-embark the slaves as soon as Her Majesty's cruizers left the coast. Lieutenant Webber, therefore, proceeded to the place indicated, and found a dhow beached as described. It being then dark he deferred its examination till the following morning, when he found her quite deserted, without colours or papers, and fully equipped for the Slave Trade, with three slave decks laid in tiers, capable of carrying 250 slaves. A native informed the captor that 150 slaves had been landed, and conducted him to the hut where they had been secreted, but it appeared they must have been removed on the preceding evening, for none were found, but the traces of the presence of a large number of people were discovered; three large vessels holding food were also left behind.

No. 6. A dhow of 135·9 tons, name and nation unknown, captured on the 4th of May, 1865, by Lieutenant Webber while cruizing off Peruba Island in command of the pinnace, cutter and whaler of Her Majesty's ship "Rapid." On the previous day Lieutenant Webber received information that a slave-dhow was lying in a creek on the western side of the island, and the next morning he discovered her hauled up on the beach. On examination she was found to be deserted, without colours or papers, with a slave-deck laid which presented all the appearance of having just been used by slaves.

Upon Lieutenant Webber going on shore to make inquiries, he ascertained from the natives that this vessel had arrived four days before with a cargo of slaves, who were confined in huts close by, and he met a Souri, who stated that he was master of the dhow, and was bound to Zanzibar with a cargo of cocoa nuts, but would not show any papers or say where he had come from. The natives, who appeared willing to assist the captors, volunteered to point out the hut where the slaves were confined, requesting Lieutenant Webber

to destroy the dhow, as the Souri's had threatened to carry off their children. With the assistance of these natives twenty-six slaves were discovered in one hut, but while securing these the master and crew of the dhow succeeded in carrying off the rest, and the captor and his men only succeeded in rescuing six more, making in all thirty-two slaves, the greater portion of whom were children. These slaves were taken on board Her Majesty's ship "Rapid," and taken to Seychelles, and there, with the exception of one who died on the voyage, were delivered over to the Civil Commissioner of that Settlement.

No. 7. A dhow of 65·75 tons, name and nation unknown, captured on the 15th of May, 1865. On the previous day Lieutenant Webber, in command of the pinnace and whaler of Her Majesty's ship "Rapid," being at Lamoo, received information that a Somali dhow, then at anchor off Lamoo, had landed a cargo of slaves and stowed them away in a house he pointed out to him. The next day Lieutenant Webber reported the circumstance to the Governor of Lamoo, who directed the house to be searched in the presence of Lieutenant Webber, when twelve female slaves, who had been kidnapped from the subjects of the Sultan of Zanzibar were discovered. The Governor then directed the slaves to be restored to their owners, and requested Lieutenant Webber to destroy the dhow as a slaver.

Upon examination of the dhow she was found to be deserted, without colours or papers, and completely fitted for the Slave Trade.

The tonnage of these vessels was ascertained by admeasurement at the time of capture, after which they were destroyed, being unfit for a voyage to a port of adjudication.

No. 31.

Her Majesty's Commissioners to Earl Russell.—(Received November 16.)

(Extract.) *Cape Town, September 30, 1865.*

IN compliance with your Lordship's instructions, we have the honour to lay before your Lordship our Report upon the Slave Trade on the East Coast of Africa during the past year.

The head-quarters of this station are now in India, and our opportunities of seeing gentlemen employed in Her Majesty's cruizers are consequently much diminished, which must be our apology if our Report is less particular than we could wish.

From what we can gather, we regret to learn that there is no falling off in the extent to which slaves are exported from the Portuguese possessions; we, however, have heard of but one vessel, the "*Duque de Tetuan*," as suspected of an intention to ship slaves for the West Indies. This vessel, whose movements, with those of the "*America*," excited the suspicion of the authorities and of Her Majesty's cruizers last year, was reported* as having escaped with a full cargo of negroes shipped near Inhambane; but she is now said to have arrived at Cadiz with a legal cargo. How far this may be consistent with her having touched elsewhere and landed slaves, would be shown by a comparison of the exact dates of her departure from the coast, and her arrival at Cadiz. But of these we are not in possession further than that she sailed from Mozambique on the 22nd of January last year.

The principal export of slaves from the Portuguese possessions continues to be for the supply of the Arab trade to the northward, and to a lesser extent to Madagascar for the French possessions at Mayotta and Nos-beh; and the Governor-General of Mozambique laments that the very small force at his disposal prevents him from doing much to suppress the evil, of the existence of which he is aware.

We learn that there is no diminution in the Trade from the East Coast, north of Cape Delgado, and there seems to be no hope of checking it, unless by the presence of a much larger force of Her Majesty's ships, as long as slaves can be legally carried between places within the dominion of the Sultan of Zanzibar. His Highness is represented as co-operating cordially with the efforts of Her Majety's cruizers; but the number of slaves carried off from the coast far exceeds what is required for Zanzibar, and by far the greater portion, if not re-shipped at Zanzibar itself, find their way in small dhows to other ports, whence they are taken off to the Persian Gulf.

Nine dhows captured by Her Majesty's cruizers during this year have been condemned in the Vice-Admiralty Court of this Colony, two as prizes to Her Majesty's ship "Orestes," and seven to Her Majesty's ship "Rapid." 138 slaves were taken in these dhows, about 100 of whom were delivered over to the Civil Commissioner at Seychelles, and others were handed over to His Highness the Sultan of Zanzibar, from whose subjects they had been stolen. Other captures have been made, of the result of which we have no information, except in the case of a vessel taken by Her Majesty's ship "Wasp" with about 300 slaves on board, who were landed at Seychelles. This vessel, a dhow of 200 tons, took her slaves on

* No confirmation of this report has been received by Her Majesty's Government.

board at the back of the Island of Zanzibar, where she shipped a force of forty-six fighting men who engaged to protect the ship from Her Majesty's cruizers until she was well off on her voyage to the northward. As she was getting away she was detained by the pinance and cutter of Her Majesty's ship "Wasp," and taken after a desperate resistance, in the course of which the coxswain of the pinnace was killed and several men were injured, among the latter was Lieutenant Rising, who led the party and who was wounded in the neck, back, and thigh. In many cases some slight attempt at resistance has been made by the Arab dhows, but this is the first instance, we believe, in which decided preparation has been made by the slave-traders to fight their way, and it is fortunate that, owing to the courage and determination of Lieutenant Rising and his eighteen men, this attempt was so signally defeated.

We do not observe that any allusion is made in the printed correspondence to the coolies now imported into Cuba, but we think that they must be arriving there in considerable numbers, as four vessels conveying about 1,200 coolies from China to Cuba have touched here during the year.

LOANDA.

No. 32.

Her Majesty's Commissioner to Earl Russell.—(*Received January* 11, 1865.)

My Lord, *Loanda, October* 21, 1864.

WITH reference to my despatch of the 20th May, 1863, and your Lordship's despatch of the 23rd June of the present year, I have the honour to acquaint your Lordship that the Governor-General has repaid to me the sum of 50*l.*, being one-half of the Proctor's fee, the whole of which had been paid by Her Majesty's Government from their moiety of the proceeds of the Portuguese brigantine "*Laura*," prize to Her Majesty's ship "Zebra," and condemned by the Court of Mixed Commission established in this city.

I have, &c.
(Signed) W. VREDENBURG.

No. 33.

Her Majesty's Commissioner to Earl Russell.—(*Received February* 10, 1865.)

My Lord, *Loanda, December* 7, 1864.

IN accordance with the instructions conveyed to me in your Lordship's despatches of the 5th April and 31st May, I have the honour to acquaint your Lordship that I propose to proceed to-morrow to the South Coast in Her Majesty's ship "Dart" for the purpose of discovering, if possible, who are the persons that have been engaged in the Slave Trade in that district.

On my return I will have the honour of communicating to your Lordship the result of my inquiries.

I have, &c.
(Signed) W. VREDENBURG.

No. 34.

Her Majesty's Acting Commissioner to Earl Russell.—(*Received February* 10, 1865.)

My Lord, *Loanda, December* 16, 1864.

I HAVE the honour to inform your Lordship that Her Majesty's ship "Archer," on her way from Cabinda to the Congo on the 5th instant, saw a strange steamer, supposed to be the "*Ciceron*," coming from the northward and steering apparently for Red Point: she neared the "Archer," from being just in sight from the mast-head to lower yards in sight from deck; she then suddenly altered course to the north-west. The "Archer" followed for nearly an hour, and having ascertained that chase had much the advantage in speed relinquished the pursuit, and after communicating with "Griffon" at Cabenda procceded to the Congo.

A steamer, most probably the same one, was seen by Her Majesty's ship "Snipe" on the 25th ultimo, making towards Vista, but she at once stood out to sea again.

The "Archer" came in on the 13th instant to coal, and on the following day I went with Captain Marten to bring to the knowledge of the Governor-General the above particulars, with the hope that his Excellency would give orders for the

Portuguese corvette "Sá da Bandeira" to proceed without delay to look after the suspected vessel; and I am happy to be able to inform your Lordship that she will leave to-morrow with that object. With her assistance, as she steams so much better than any of Her Majesty's cruizers on this station, I am not without hopes that at least a shipment of negroes may be prevented.

I have, &c.
(Signed) EDWARD HYDE HEWETT.

No. 35.

Her Majesty's Commissioner to Earl Russell.—(Received March 7.)

My Lord, *Loanda, December* 31, 1864.

I HAVE the honour to report that no case has been brought for adjudication before the Court of Mixed Commission established in this city during the half-year ending this day.

I have, &c.
(Signed) W. VREDENBURG.

No. 36.

Her Majesty's Commissioner to Earl Russell.—(Received March 7.)

(Extract.) *Loanda, January* 7, 1865.

I HAVE the honour to inform your Lordship that on the 8th of last month I embarked on board Her Majesty's ship "Dart" for the purpose of proceeding to the coast to the southward, with the object of discovering the persons who had been engaged in the vast slave-trading operations in the district of Benguella during the last eighteen months.

The first place at which I touched was Benguella Velha; there I found three houses only, with a distance of about two miles intervening between them. I landed and had an opportunity of entering into conversation with two of the settlers with whom the Commander of the "Dart" was negociating for the purchase of cattle for the use of his ship. My suspicions had been directed towards a certain ————, but I could obtain no information whatever respecting him or his proceedings; the persons above referred to admitted that many slaves had been sent from the district, but stated that the shipments had taken place further south.

From Benguella Velha I proceeded to Quicombo; that place is situated about six miles from Novo Redondo, which it overlooks. I had two reasons for going to the former instead of the latter place: from the state of the sea the ships could not have approached the shore within a moderate distance, and landing would have been difficult and probably dangerous. I also thought from its proximity that the inhabitants of Quicombo could not be ignorant of the proceedings of those of Novo Redondo, and as they were not compromised they would be more communicative; I was, I regret to say, deceived in my expectations. Senhor Pinto and the persons with whom I was in communication there repeated that the shipments of slaves had taken place further south, but disclaimed all knowledge of the persons interested.

The town of Benguella was the next place I visited. The Governor-General had very kindly given me a private letter of introduction to the Acting Governor; the late Governor Senhor Gamitto having left the province in the month of November. The Acting Governor, Major Godinho, informed me that he had been two months only at Benguella, having been charged with the government of the district by the Governor-General pending the arrival of Senhor Gamitto's successor; but that he learnt enough to satisfy him that the slave-trading that Senhor Gamitto had sanctioned had been scandalous and disgraceful. He told me that he had been unable to obtain any certain proofs against the offenders, as the greater part of the inhabitants were interested and compromised; but that it was notorious that the late Governor had received large bribes to connive at the slaving operations, and that he heard and believed that he had taken away with him from thirty to fifty contos of reis. He mentioned among other matters that it was stated that a shipment had been made in the Bahia Farta, and that the ship had been becalmed the whole

day before the town of Benguella. The Bahia Farta is a small bay at the entrance of the Bay of Benguella, and may be considered a portion of it. Major Godinho added that all the information he possessed was hearsay, but that he believed it to be substantially true.

I saw many other persons at Benguella; no attempt was made by them to deny that slaving operations had taken place in the neighbourhood, but every one professed the most entire ignorance of the particulars and of the persons engaged in them. From Benguella I went to Mossamedes, with the Governor of which place I was most desirous of having an interview. He is a person of great intelligence, with a most firm and decided character, and a determined enemy of the Slave Trade and slave-traders. It may be in your Lordship's recollection that Senhor Costa Leal, the Governor, in the month of August 1863, informed Commander Perry, of Her Majesty's ship "Griffon," that slave-trading, on an extensive scale, was carried on in the neighbouring district of Benguella; and in my despatch of the 11th January, 1864, I mentioned to your Lordship that the Governor-General had told me that Senhor Costa Leal had also made a communication to that effect to him. I found him exceedingly frank and communicative. He immediately admitted that he had made the statement referred to, to Commander Perry, adding that what he had said was the truth, but on my asking for particulars and proofs I was again disappointed. Senhor Costa Leal answered that as he had publicly and officially denounced the slave-trading carried on in Benguella, no one could have a greater interest or be more anxious than he to obtain evidence of the fact, but that all his efforts to that end had been unsuccessful.

I left Mossamedes on the 22nd December, and having, in passing, looked into Elephant Bay, arrived at Equimina on the 24th. It is necessary that I should make your Lordship acquainted with certain particulars relating to that place, formerly the abode of the most notorious slave-trader, Senhor Ignacio Teixeira Xavier. That individual died in the month of September 1863, and the administration of the estate fell into the hands of the Provincial Treasury (Junta da Fazenda). By that Board it was put up for sale by public auction, and was purchased on the 26th September, 1864, by a Company composed of eight or ten persons, among the number are some who have been seriously compromised in slave-trading operations, namely, Senhors Flores, Prado, and Toulson; on the other hand, besides the improbability of a Company, composed of so many persons, incorporated under the warrant of the Governor-General, being organized with the object of engaging in the Slave Trade, there are three or four shareholders who, from position and other causes, would never venture to join in those infamous and inhuman speculations. One of them is Senhor Joaquim Guedes de Carvalho e Menezes; he is President of the Tribunal da Relação in this city, is a member of one of the oldest and most influential families of Portugal, and his term of service in Africa having nearly expired, is certain to receive a high judicial appointment on his return to Europe. Senhor Guedes Garrido, another shareholder, served for several years as Secretary of the Mixed Commission, is now the Administrator of the Custom-house in this city, has long resided here, and has never been in any way compromised in slave-trading; and I think I can safely vouch for Senhors Carmelino and Isaac Zagury, merchants doing the most extensive legitimate business in the city.

On the death of Senhor Ignacio, the whole of his affairs fell into a state of complete confusion, as no one was on the spot to take charge of the property, and so matters remained until the sale took place. The estate had then been but a few days the property of the Company, they had not taken possession. I arrived there quite unexpectedly, and went over the whole property. No attempt was made at concealment. I found a most magnificent estate, with splendid gardens and orchards, containing a variety of European fruits and vegetables, and many fields of sugar cane generally in a high state of cultivation, due to the admirable system of irrigation prevailing there, but there was an absence of all arrangements for shipping slaves. No barracoons were erected, nor were there any slaves collected beyond the number employed in the cultivation of the soil, and amounting, as I was told by the manager, to about 360. It is the intention of the Company if they can obtain labourers, either slaves or libertos, to extend considerably, the area of land under cultivation, and to plant sugar cane and cotton on a vast scale. The facilities for obtaining water relieve them of all apprehension from drought, the curse of the whole coast. So long as the Company as at present constituted own Equimina, it will not, I feel assured, be used as a spot for embarking slaves. On leaving Equimina, I called again at Benguella for the purpose of ascertaining

whether the Governor had obtained any information since my previous visit, and to give an opportunity of communicating with me to others. I was not more successful than on my first visit. I reached Loanda on the 29th December, without having accomplished the special object of my expedition. My journey was, however, not entirely thrown away, as I became acquainted with people and circumstances not unlikely to prove useful hereafter. I have frequently adverted to the desirableness of having a cruizer stationed more frequently on the southern coast; her services would be made available to that effect while conveying me down.

On my making the Governor-General acquainted with what I had heard respecting the late Governor of Benguella, his Excellency informed me that he intended to send down to that place a Commissioner with the sole and special object of inquiring into his proceedings. He told me that substantial charges had been made against Senhor Gamitto by a native medical man, whose general character was far from irreproachable; it was therefore necessary that his accusations should be confirmed by more respectable and trustworthy witnesses.

No. 37.

Her Majesty's Commissioner to Earl Russell.—(Received March 7.)

My Lord, *Loanda, January 20, 1865.*

I HAVE the honour to transmit a copy of a Memorandum containing information for the use of the Commanders of Her Majesty's ships, which was communicated by Mr. Hewett during my absence on the South Coast.

I have reason to think that the slaves mentioned in the Memorandum were not intended for shipment on board the "*Ciceron,*" but are destined for another steamer that may shortly be expected.

Commander Perry, of Her Majesty's ship "Griffon," captured in a boat the boatswain of the "*Ciceron.*" I have the honour to inclose a translation of the instructions and correspondence found in the boat. Your Lordship will observe that the arrival of the "*Ciceron*" was unexpected, and that no arrangements had been made, nor slaves collected for shipment by her. The absence of preparation I attribute to the fact that the machinery of the steamer that had been chartered by the Portuguese Government to bring out the mails having broken down, she was compelled to put into Fernando Po, where she remained a month refitting; the delivery of the mails was delayed for that period, and the "*Ciceron*" arrived on the coast before the instructions to collect her cargo had been received.

The boatswain, who is a Portuguese, stated that the "*Ciceron*" has gone to Matamoros, the object of the voyage having been frustrated. He has been placed at the disposal of the Governor-General, and is now in prison in this city, and he will, I think, be committed for trial.

Senhor Pamplona, who, it appears by the correspondence, was to have made the necessary arrangements, being, I am told, in Cuba, the letter of the Captain of the "*Ciceron*" was received and answered by Pamplona's partner, Manoel Joaquim d'Oliveira.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure 1 in No. 37.

Information concerning the Slave steam-ship "Ciceron," *Master Mesquita.*

"*CICERON*" is to ship between Maza Eugonda and Ambrizette. James Stewart has upwards of 800 slaves ready for shipment at Maza Eugonda, alias Agoa Preta (Anglicè Black Water), about five miles to leeward of Mangue Grande. There are 150 slaves a little to leeward of Ambrizette, belonging to Antonio Alves Ferreira, late owner of launch "*Congo,*" detained by Her Majesty's ship "Lee" in April last. My informant says the best points for cruizers would be off Cabeça de Cobra (Snake's Head) and Ambrizette.

There is a barque on the coast with coals for the "*Ciceron.*"

Loanda, December 26, 1865.

(Signed) EDWARD HYDE HEWETT.

Inclosure 2 in No. 37.

Papers taken from the Boatswain of the "Ciceron."

Instructions given by Don Pedro Mas, Captain of the steamer "Ciceron," *to José David, who states that he was Boatswain of that Vessel.*

(Translation.)

INSTRUCTIONS for José D. Impress on Pamplona to use the greatest possible activity, and not to forget the firewood and the plates. Do not allow the Chinese of the boat to communicate with any one, and José himself bring the orders, and stand out as far as possible on going to receive the orders. The signal of the steamer will be the Spanish flag on the foremast, and José will answer with a white flag.

He is to rendezvous on the 5th December in 5° 30′ south.

Cloth for dressing wounds ("pano para curativas"), and a little soap.

The captain has 120*l.* to employ.

Senhor Dom Pedro Mas, River Zaire.

Friend and Sir, *Moanda, December* 5, 1864.

I HAVE before me your favour of the 24th ultimo, addressed to Senhor Joaquim Martins Pamplona, or to the person in charge of his affairs. I have to answer that I have received no instructions whatever respecting this matter. The last letter that I have from that Senhor is of the 30th May from Havana, and I know nothing of the business. Here there is no cargo, nor the wherewithal to purchase it. On the 3rd instant I received letters from Loanda, dated the 29th ultimo, and from Ambriz of the 1st instant, and I have no news whatever of Senhor Pamplona. The last news we have from Lisbon are of the 5th September; they arrived here on the 28th October, and from that date to the 29th November there has arrived neither steamer nor sailing vessel. That is all that presents itself to me to tell you. I am here ready to receive your orders, and am, &c.

(Signed) M. J. D'OLIVEIRA.

When you write by sailing ship or steamer, you can do so by Loanda, to Senhor Bento Mendes Pires, by Ambriz to Senhor Saboga and Monteiro. Letters addressed to those gentlemen will be immediately sent here.—OLIVEIRA.

If desirous of sending letters to me they can be sent to the following places:—Qundana, Rodrigues and Costa; Ponta Negra, Francisco de Moraes; Ponta Banda, Caldeirão. To the south, between Bahia Funda and Ambrizette, Quitiliangulla, Francisco Antonio Ogando. It can be urgently requested at any of those places that they be sent on here.

No. 38.

Her Majesty's Commissioner to Earl Russell.—(Received April 6.)

My Lord, *Loanda, February* 13, 1865.

I HAVE the honour to transmit a translation of the Judgment of the Tribunal de Presas in the case of a boat or launch detained by the Portuguese war-schooner "Napier," for navigating without flag or papers.

The Commander of the "Napier" stated in his evidence that he did not think that the boat was engaged in slave-trading; it is difficult, therefore, to understand why he should have submitted her to the Judgment of the Tribunal de Presas, that Court having jurisdiction only in slave-trading cases.

The "Napier," while cruizing off the coast of Benguella, captured about twenty boats or launches for navigating in violation of the Police and Custom-house Regulations, and fines were imposed by the authorities of Benguella in the majority of cases. Great laxity has hitherto prevailed in the enforcement of those Regulations; the launches were consequently frequently employed in assisting the slave-traders in conveying slaves to the rendezvous or on board the vessels destined to receive them. This exhibition of vigilance, if followed up, will, no doubt, be a great obstacle to their movements and arrangements.

The boat that has been tried and released by the Tribunal de Presas appears to have been engaged, when captured, in conveying to Benguella a portion of the assets of the late Ignacio Teixeira Xavier, of Equimina, whose estate is under the administration of the Treasury ("Junta da Fazenda").

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 38.

Judgment of the "Tribunal de Presas" on the launch "Foguete," *captured on the 24th October*, 1864, *off the Coast of Benguela, by the Portuguese war-schooner "Napier," under the Command of Lieutenant Carlos Eugenio Correa da Silva, for sailing without papers or flag, and for having on board eight Slaves and various objects which rendered her suspicious of being engaged in the Slave Trade.*

(Translation.)

THE Judges of the Relação acting as Prize Court agree: That it is shown that the boat or launch "Foguete," whilst navigating along the Coast of Benguella from the south towards the north, off Sombreiro and

within the limits of that place, was visited by the order of one of the officers of the Portuguese schooner of war "Napier" then at anchor in the port of Benguella, and having been found navigating without papers or flag, she was for those reasons detained, together with her cargo on board and her crew, on the 24th October, 1864.

Considering, nevertheless, that the want of the flag and papers, although an offence against the police rules and regulations respecting navigation, concerning which this tribunal for slave prizes is not competent to take notice, there is no indication classified by the Decree of the 10th December, 1836, showing that the said craft was intended to be employed in the Slave Trade; and considering that even if that absence were an indication (indicio), it should yield to the truth on the proof to the contrary being shown; and considering that by the correspondence of the delegate of the Board of Treasury (Junta da Fazenda), the Governor of the district, and the captor, that the said craft was not intended to be employed in the Slave Trade, but was coming by order of the Board from Equimina to Benguella, with objects belonging to the estate of the late Ignacio Teixeira Xavier, which is under the administration of that Board; and considering that the captor in his sworn declaration said, that from the small dimensions of the boat she could not make a voyage across the sea, and that it did not appear to him that she was employed on this occasion in assisting the Slave Trade, in which opinion the second deponent, an officer of the said schooner, agreed—they adjudge for this reason, and from other circumstances shown in the proceedings, the said boat a bad prize; but without any right to indemnity for loss or damage, there having been sufficient motive for the detention, in consequence of the said absence of flag and papers. And considering the above-mentioned boat was navigating without the owner, José Manoel Ribeiro, showing that he had complied with the rules laid down in the Portarias of the Provincial Government of the 2nd June, 1846, the 22nd June, 1848, the Portaria of the General Government of the 19th April, 1856, they decide that the boat with her cargo and crew be placed at the disposal of the Governor-General of the Province, for the purposes that he may think necessary, seeing that this tribunal is not competent to compel the observance and execution of the above-mentioned regulations, and others relative to navigation and its police.

Loanda, February 4, 1865.

(Signed) FIGUEIREDO.
F. ANTAS.
J. GUEDES.

No. 39.

Her Majesty's Commissioner to Earl Russell.—(Received April 6.)

My Lord, *Loanda, February* 21, 1865.

I HAVE the honour to transmit the joint Report which has been prepared by my Portuguese colleague and myself for transmission to our respective Governments as required by Article XI, Annex B of the Treaty between Great Britain and Portugal for the suppression of the Slave Trade.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 39.

Report of the Mixed Commission for the year 1864.

THE Members of the British and Portuguese Mixed Commission established in the city of Loanda, in accordance with the requirements of the XIth Article, Annex B of the Slave Trade Treaty between Great Britain and Portugal, have the honour to report:—

That the only case brought before them for adjudication during the course of the year 1864, was that of the schooner "*Congo*." That vessel was detained by Lieutenant-Commander Foot of Her Britannic Majesty's ship "Lee," on the 23rd April, 1864, near Mangue Grande, on suspicion of being engaged in the Slave Trade: the principal grounds of detention alleged by the captor being that she was navigating without papers; that she was laden with a cargo that might be easily disposed of to provide the means of purchasing slaves, or be bartered for them; that she had an American ensign on board, had also a larger quantity of provisions than was necessary for the use of the crew; that she had twelve blacks on board unprovided with passports, that she sailed from the notorious slave-trading place Porto da Lenha.

The defence of the claimant was that he purchased the vessel from the French factory in the Congo, and produced a certificate to that effect from the commander of the French war steamer "Dialmath," combining therewith a pass to enable the vessel to come to Loanda to obtain the usual papers. That he had been frequently robbed and ill-used by the blacks at Porto da Lenha, and had consequently determined to abandon that place and establish himself at Ambriz, and was at that time negotiating with the American merchant Willis for the purchase of a house that that person owned there. That he had been compelled to withdraw his goods precipitately from Porto da Lenha, and that the schooner, when detained, was laden with them, and was bound to Ambriz, where they were to have been landed, and the vessel was after discharging them to have proceeded to Loanda to obtain her papers. That the American ensign was on board the vessel when she was purchased, and had not been used, nor was intended to be used for any purpose; that the provisions were not more than sufficient for twenty days' consumption, and that the blacks were all free Cabinda negroes, who had been engaged to navigate the vessel. The Court considered that the facts deposed to by the witnesses of the claimant had proved his assertions; they consequently declared the "*Congo*" a bad prize, but condemned the claimant to pay all the costs of the proceedings, he having subjected himself to detention by his negligence in sending his vessel to sea unprovided with the necessary papers.

A question of jurisdiction resulted in a difference of opinion between the Portuguese and British Commissioners. The latter maintained that ownership alone was not sufficient to establish the nationality of a ship; that the "*Congo*" did not possess, and never had possessed, Portuguese papers; she could not therefore be considered a Portuguese vessel, and as the Mixed Commission had jurisdiction only in the cases of Portuguese or British

ships, they could not take cognizance of the present case. The Portuguese Commissioner, on the other hand, was of opinion that the Portuguese nationality of the "*Congo*" had been sufficiently established by the proofs of ownership, and that the owner had simply committed an irregularity in sending her to sea without having previously obtained a safe-conduct from the Governor-General of the province. The views of the British Commissioner were over-ruled by the votes of the Portuguese Commissioner and Arbitrator, the latter of whom had been chosen by lot on the difference of opinion arising between the Commissioners.

State of the Libertos.

The Board of Superintendence has received no complaints from the libertos of ill-usage, and the Curator reports favourably of their treatment by their employers.

The libertos are employed in domestic service and agriculture; no progress can therefore be said to have been made in their mechanical education. With respect to their religious education, although they were baptized when they received their letters of freedom, there can be but little doubt that they are still practically heathens. The Curator states that some employers desire them on Sundays to go to mass, but it may be considered as certain that they never do so. The Board of Superintendence has great difficulty in finding persons to accept the services of the libertos, although they are granted gratis. The majority of those allotted to private individuals were in a short time sent back, their further services having been declined. They are now generally employed on public works by the Provincial Government and the Municipal Chamber.

Loanda, February 21, 1865.

(Signed) JOSE BAPTISTA D'ANDRADE, *Governor-General.* W. VREDENBURG.

No. 40.

Earl Russell to Her Majesty's Commissioner.

Sir, *Foreign Office, May* 10, 1865.

I TRANSMIT to you herewith, for your information, and for any observations you may have to offer thereupon, copies of a despatch and its inclosures from Her Majesty's Minister at Lisbon,* containing the reply of the Portuguese Government to the representations which Sir A. Magenis has been instructed to make to the Government of His Most Faithful Majesty relative to the export of slaves under the plea of their being libertos, from Loanda to the Island of San Thomé, and respecting the connivance of certain Portuguese authorities at the Slave Trade carried on from the Portuguese possessions to the southward of Loanda.

I am, &c.

(Signed) RUSSELL.

No. 41.

Her Majesty's Commissioner to Earl Russell.—(Received September 25.)

My Lord, *Loanda, June* 30, 1865.

I HAVE the honour to report that no case has been brought for adjudication before the Court of Mixed Commission established in this city during the half-year ending this day.

I have, &c.

(Signed) W. VREDENBURG.

No. 42.

Her Majesty's Commissioner to Earl Russell.—Received September 25.)

My Lord, *Loanda, July* 7, 1865.

ON the death of Senhor Guilherme da Silva Correa, the notorious slave-trader of Ambrizette, the administration of his affairs fell into the hands of the Junta de Fazenda in this city. That Board, at the instance of the executors and others interested, memorialized the Governor-General, and requested that the slaves forming a portion of the estate, amounting, I am told, to two or three hundred, might be brought to this city. His Excellency granted permission to bring down ten, a launch was sent for them, and they were duly landed here. The circumstance was brought to my knowledge, but as I had but little doubt that I should obtain the liberty of all such as might be introduced, I waited to see if any more arrived, and took no immediate steps in the matter; but after the lapse of a not inconsiderable

* Class B, No. 94.

time, finding that no others came, I called on the Governor-General and represented to him that as the slaves had been brought into the province in contravention of the Decree of the 10th December, 1836, and the orders of the Portuguese Government prohibiting the introduction of slaves by sea, I considered that he was bound to give them their liberty.

His Excellency replied that he had granted permission to bring them here as libertos and not as slaves; that if they had remained at Ambrizette and Macula, they would inevitably have been shipped to Cuba, as they had been collected by Senhor Guilherme with that object. He added that he had granted a "guia" to bring down ten, and had intended to permit more to be brought, but on reconsideration he had thought that an improper use might be made of the "guia," he had consequently withdrawn and cancelled it.

I pointed out to his Excellency that as they could not be registered as libertos until their arrival here, they were really slaves when they arrived, and although the motives which had actuated him might have been of the best, the slaves were entitled to the benefit of the error in judgment which he had inadvertently committed.

His Excellency then called his Secretary and desired him to bring all the Decrees and despatches bearing on the question. Among them was a despatch from the Portuguese Minister of Marine, dated the 29th December, 1860. It was in answer to a confidential despatch of the Governor-General at that period, who had submitted sundry questions relative to the abolition of slavery in the district of Ambriz.

Among other matters the Portuguese Minister stated that all slaves who had not been registered in conformity with the Decree of the 14th December, 1854, or who had not been brought into the district after that date, were absolutely free; and in answer to another query, he said that the River Congo was to be considered the northern boundary of the district of Ambriz. That decision, as your Lordship will observe, was conclusive; it required no argument to prove to his Excellency that as the blacks had come from a place within the limits mentioned they were absolutely free, and according to law always had been so. His Excellency made no attempt to shirk or fence the question. He immediately said that the matter appeared very clear, but requested a day or two to consider how he should act. I then suggested that an attempt should be made to bring the remainder of the blacks down to this place, but his Excellency said that he feared that that could not be accomplished. A few days after his Excellency told me that he had submitted the question to the Procurador Regio for his opinion, and that that functionary had decided that the blacks were free; he had consequently given an order for their liberation, but before doing so he had offered the persons in whose charge the remaining blacks were, to send for them, but that they had become suspicious and had declined his offer. I then proposed to his Excellency to send the corvette "Infante Dom João" to Ambrizette to seek for them and set them at liberty; to this his Excellency answered that it had been long known that Senhor Guilherme had collected in the neighbourhood of that place a number of slaves for shipment, that Captain Garção in the "Sa da Bandeira" had twice been there for the purpose of discovering them, that the Commanders of Her Majesty's cruizers had also tried to find them, but that they were so well concealed in the bush that all their efforts had been useless, and that he had but little doubt that as soon as the "Dom João" appeared they would be hurried away and dispersed.

His Excellency, however, added that he would desire Captain Viegas d'O, the Commander of the "Dom João," to go to Ambrizette to try and ascertain something about them.

The Governor-General committed an undoubted irregularity in sanctioning the importation by sea of ten blacks in the capacity of libertos, although his intention in so doing was to save them from a worse fate, but the alacrity with which he acknowledged the mistake he had made and applied a remedy is consistent with his frank and honest character, and will, I trust, receive your Lordship's favourable consideration.

I have, &c.
(Signed) W. VREDENBURG.

No. 43.

Her Majesty's Commissioner to Earl Russell.—(Received October 19.)

(Extract.) *Loanda, August* 18, 1865.

I HAVE the honour to inform your Lordship that I received information from Mr. Hewett, that two American whaling ships were at present on the coast with the object of embarking at a point between Ambrizette and Mangue Grande 800 slaves, among whom were those that had been collected by the late Senhor Guilherme, of Ambrizette. One of the vessels had, it appears, already communicated with Messrs. Netto and Rangel, the persons who were to superintend the shipment.

As I thought it desirable that this information should be communicated to the commanders of Her Majesty's cruizers with as little delay as possible, I sent the boat placed at my disposal by Her Majesty's Government with a despatch (of which I have the honour to inclose a copy) addressed to those officers, and containing the intelligence which I had received.

Inclosure in No. 43.

Her Majesty's Commissioner to the Senior Officer of the South Division.

Sir, *Loanda, August* 14, 1865.

INFORMATION has reached me from a source, which I believe to be worthy of credit, that two American whaling-ships are now on the coast with the object of shipping 800 negroes, among whom are those who were assembled by the late Senhor Guilherme, at Ambrizette and its vicinity, for slave-trading purposes.

My information is to the effect that one of the vessels has already held communication with the persons on shore who are to superintend the shipment, and whose names are Rangel and Netto.

Kinso or Kinson, between Ambrizette and Mangue Grande, being the place whence the shipment will be attempted.

With the hope that the information will reach you in time to secure the capture of both of these slavers, I have, &c.

(Signed) W. VREDENBURG.

P.S.—The officer into whose hands this despatch may fall is requested to take my boat and the crew on board his vessel, and send them back by the first of Her Majesty's ships visiting this port.

W. V.

No. 44.

Her Majesty's Commissioner to Earl Russell.—(Received October 19.)

(Extract.) *Loanda, August* 25, 1865.

WITH reference to my despatch of the 18th instant, it is with regret that I have to inform your Lordship that I have learnt, from a source which leaves no doubt on my mind, that on or about the 10th of this month, a Spanish vessel embarked a cargo of slaves between Ambrizette and Mangue Grande.

The slaves in question were collected by Senhor Guilherme, of Ambrizette; their presence was known, and the place has been most strictly and carefully watched by Her Majesty's cruizers; it became necessary to withdraw one of them for the purpose of bringing the mails from Fernando Po; and it was probably during the changes of station consequent on that withdrawal that the shipment took place.

The squadron on this part of the coast is numerically very weak, and the movements of Her Majesty's ships are carefully noted by the slave-traders, and it is next to impossible to prevent their knowing when one of them is detached for the purpose of bringing the mails.

I heard from the same person from whom I obtained the intelligence, which I have had the honour of submitting to your Lordship, that in the early part of this month an American whaling-ship touched at Ambrizette, but I have no information beyond that reported in my despatch above referred to, by which I can learn the object of her visit to that place.

No. 45.

Her Majesty's Commissioner to Earl Russell.—(Received October 23.)

(Extract.) *Loanda, August 17, 1865.*

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 10th May, transmitting copies of a despatch from Her Majesty's Minister at Lisbon, and its inclosures, containing the reply of the Portuguese Government to the representations that Sir Arthur Magenis had made relative to the export of slaves under the plea of their being libertos to the Island of St. Thomé, and respecting the connivance of certain Portuguese authorities at the Slave Trade carried on from the Portuguese possessions to the southward of this port.

In obedience to your Lordship's instructions, I have the honour to submit the following observations on the points mentioned in the despatch of the Duke de Loulé.

With respect to the question of the export of libertos to St. Thomé, as I had previously, on more than one occasion, mentioned to your Lordship the conditions on which his Excellency the Governor-General granted passports for that island, and as no change had been made in the system, I considered the question as entirely in the hands of Her Majesty's Government, and limited myself in my Report to the observation "that the Governor-General had scrupulously adhered to his resolution of not granting passports to slaves;" but since that Report was penned, the trade in libertos has assumed such vast proportions as to call for the serious attention of your Lordship and the Government of His Most Faithful Majesty; persons of all classes have purchased vessels which are solely employed in the transport of libertos.

I have no means of knowing, with certainty, the number that have been sent to the island during the present year, but they must amount to many hundreds; and that their expatriation is compulsory is proved by the fact that, when I had occasion to direct the Governor-General's attention to the circumstance that a man had been conveyed bound on board a vessel, his Excellency replied that such a proceeding was wrong, and that he would cause inquiries to be made, and would prohibit such a mode of proceeding; but he at the same time added that very few would go if they were not compelled to do so.

Slaves are bought in large numbers for the sole purpose of sending them to St. Thomé, where their services as libertos are sold at a large profit, and the ordinary menace of a master who is dissatisfied with the slave is that he will send him to that place, and that threat is not rarely made a reality, with, I admit, the preliminary step being taken of registering the slave as a liberto.

On another occasion when conversing with the Governor-General on the subject, I mentioned that there were certainly not more than four Portuguese settlers removing definitely in any one year to the Island of St. Thomé. His Excellency answered that there were not so many. That I well knew; but I said that for the purpose of my argument we would take that number—they would be entitled under the Treaty to take with them an aggregate number of forty slaves. I then pointed out that by the system his Excellency had adopted many hundreds were sent under the name of libertos; that during the period of ten years that they had to serve in that capacity they were in all respects in the position of slaves, and that consequently many hundreds instead of two score were every year forcibly removed from the Continent and sent to St. Thomé, and then placed in a condition of forced servitude, and that as it must be evident to everyone who read the signs of the times, and considered the opinions of many of the leading statesmen of Portugal that slavery would be abolished in the Portuguese territory before the expiration of ten years, the libertos who were sent to the island would suffer the pangs of separation from friends, family, and country without experiencing any benefit from the status of slave being changed into that of liberto. The Governor-General is too honourable a man to have recourse to a subterfuge, and designate them free blacks voluntarily emigrating—he permits none to embark who have not been previously registered as libertos, but it is no less the fact that the emigration is forced and not spontaneous, and that there is no difference between the actual position of the liberto and that of the slave.

In his recapitulation of my observations, the Duke de Loulé states, secondly, "That the same Governor entertaining suspicions that two men who had obtained

passports as freedmen were slaves, had directed the necessary inquiries to be made, &c." There is in this statement a not unimportant discrepancy which I take the liberty of rectifying. I did not say that two men had obtained passports, but that passports had been obtained for them; the men believed themselves to be slaves, the person who was taking them to St. Thomé had neglected to register them as such, they were consequently by action of law free, but I am at a loss to understand why he was not prosecuted for the more serious crime of attempting to kidnap two free men and reduce them to slavery.

I will now proceed to my review of the answers of the Duke de Loulé to the statements in my report. I have already remarked on the first and second which relate to the shipment of libertos to St. Thomé. The third calls for no observation on my part; to the fourth I will only reply, that the number of slave vessels captured by Her Majesty's cruizers prove that it is not so difficult as his Excellency supposes to prevent the shipment of slaves from that part of the African coast which is not subject to the Portuguese dominion; but on the other hand if, as he wishes to convey, it can be prevented from that part which is so subject, what excuse or explanation can the Portuguese Government offer for the many shipments which took place on the coast of Benguela during the administration of that district by Senhor Gamitto? The fifth answer of Duke de Loulé merely remarks on the good services which I have acknowledged that the Governor-General has wished to render for the suppression of the Slave Trade, and which I have no doubt he would have accomplished had he not been thwarted by his subordinates.

To the sixth answer I must demur altogether. It is, if I am at liberty to say so, a mere begging of the question. I have not found any direct denial that during a period of eighteen months a considerable Slave Trade was carried on from the district of Benguela, nor could any such denial be given. The Governor of Mossamedes stated to Commander Perry most positively that such was the case, to me he said that what he told Commander Perry was the truth; every person with whom I spoke when I visited the south admitted the fact, the Governor-General I am satisfied feels no doubt whatever on the subject, and the matter was spoken of generally and openly in this city without any attempt at concealment, it is, therefore, assuming far too much to say that because the chief naval and military authorities are praised and held in good repute, that the orders of the Portuguese Government for the effectual prevention of the exportation of slaves are carried into execution. My charge is that the subordinate authorities have connived at the Slave Trade. The answer to that charge is to the effect that such cannot be the case, because the superior authorities are faithful and honest, and the grounds on which that statement is made will be found in the summary of the Duke de Loulé's despatch; they are that the Governor-General "would not allow any functionaries to continue to serve in the province under his charge who should disobey him." Will the Portuguese Government say that the subordinate authorities (Chefes and Governors) on the coast are more upright and honourable than those in the interior? Is it not a fact known to them from official sources (from the "Boletim Official" of this province if from no other) that very many of these military Chefes and Governors have been suspended and tried by a military tribunal for arbitrary and illegal exactions and extortions committed to the prejudice of the negroes in the districts that they were sent to govern, and do they not equally well know that in scarcely any case has a conviction ensued, because they are tried by men of their own class, "who do not know how soon they may be called upon to defend themselves" (the words are not mine)? The following cases will give your Lordship an idea of the treatment the natives of the interior receive from their Governors: One of these compelled a number of free blacks to labour for him; he gave them no wages whatever, but allowed them a few hours on Saturday to work for themselves. Another bought a negro woman, she ran away; he then addressed himself with threats to her relations, who to appease him offered two others to replace her, he insisted on having four, who were given to him; eventually the slave whom he had first purchased returned, and he kept the five. And I have latterly heard of another Governor who took 100 head of cattle from the natives and sold them on his own account. The above I believe to be far from the worst cases.

I will now give your Lordship a specimen of the mode in which justice is administered. A very great offender was suspended by the Governor-General, and put on his trial. The depositions were taken before a very ignorant black man,

who filled some judicial office in the district where the offence was committed. The evidence appeared, however, to have been very fairly taken, and was duly sent down to the tribunal that was to try the case in this city; the proceedings were quashed because the Judge had omitted to put the words "in the year of our Lord Jesus Christ" at the head of the Record. A new Judge was appointed, and he was furnished with proper forms for drawing up the depositions. As the place is far in the interior, many months elapsed before the papers arrived the second time. The tribunals again quashed the proceedings because the Judge omitted to state that he had been sworn.

The Governor-General in disgust then sent the whole of the papers to Lisbon, under a conviction that the culprit would never be convicted here.

If his Excellency has been unable to obtain the conviction of offenders against whom the clearest proofs existed, it would be worse than useless to suspend and put on their trial the officials on the coast, against whom at present those proofs are certainly wanting.

No. 46.

Her Majesty's Commisssoner to Earl Russell.—(Received December 2.)

My Lord, *Loanda, September 28, 1865.*

I HAVE the honour to report to your Lordship that proceedings have been instituted before the Mixed Commission Court established in this city, against the Portuguese brig "*Maria*," detained on the 5th instant by Her Majesty's ship "Ranger," in the vicinity of the River Congo, on suspicion of being engaged in the Slave Trade.

The Governor-General has hitherto sat as Portuguese Commissioner, but as his Excellency will on the 2nd proximo leave the province, he announced yesterday that he intended on Saturday the 30th to relinquish the Government, and that his time would be so fully occupied until then that he would be unable to attend again. It will be my duty on the termination of this case, to direct your Lordship's attention to the absence of Commissioners on the part of the Portuguese Government and the complete want of organization since my arrival here two years and a-half ago. In this case the defects will be seriously felt and may create some difficulties. The Governor-General, as I have stated, will sail on Monday the 2nd. The President of the Concelho do Governo, who is Senior Judge, will then have to act as Commissioner. On the 5th a new Governor-General is expected. Should he arrive he will have to assume the duties of Commissioner, and the person who in the interval had acted as Commissioner will, if it becomes necessary, be called upon to act as Arbitrator. To avoid the anomaly of one and the same person acting in a double capacity, it is my intention to propose that the proceedings may be allowed to remain in abeyance until the arrival from Lisbon of the next steamer due on the 5th proximo.

No. 47.

Her Majesty's Commissioner to Earl Russell.—(Received December 2.)

My Lord, *Loanda, October 7, 1865.*

I HAVE the honour to transmit, in obedience to your Lordship's instructions, my Report on the state of the Slave Trade during the year ended the 30th of last month.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 47.

Report for the year ending September 30, 1865.

I HAVE but little to report on the state of the Slave Trade during the last twelve months. Heavy losses, the hostility and active opposition of the Captain-General of Cuba, and the want of funds consequent thereon, have prevented any extensive attempts at slave-trading. The most notable occurrence was the appearance on this part of the coast in the month of December of the notorious slaving steamer "*Ciceron.*" A defect in the machinery of the steamer that was employed by the Portuguese Government to bring out the mails, compelled her to go to Fernando Po for repairs, the consequence was a delay of a month in the receipt of the letters which contained the instructions and orders for the shipment, and the arrival of the "*Ciceron*" before her cargo was prepared for her. Though seen by more than one of Her Majesty's ships, they did not possess sufficient steam power to enable them to capture her. They succeeded, however, in driving her from the coast, and a boat containing the boatswain and four men was picked up by Her Majesty's ship "Griffon," The former being a Portuguese subject was handed over to the authorities in this city, and he was a short time ago condemned by the "Tribunal de Prima Instancia" to two years' forced service on board a ship of the State. Against that sentence he has appealed to the "Tribunal de Relacão." The only successful shipment of slaves of which I have any knowledge took place about the 10th of August in the neighbourhood of Mangue Grande; a Spanish vessel ran in during the night and took off a number of slaves amounting, it is said, to 500 or 600.

It had been long known to the captains of Her Majesty's ships that a considerable number of slaves were collected in that district. The place had been for many months most strictly guarded, and it is to me perfectly incomprehensible how an embarkation was effected, unless it took place during the shifting of stations consequent on the withdrawal of a vessel for the purpose of bringing down the mails from Fernando Po. I am not aware that any other slave ships have appeared on this part of the coast, and I have consequently no captures by any of the cruizers to report.

It is with much satisfaction that I am able to report that since the departure in November of last year of Major Gamitto, the late Governor of Benguela, I have not heard, nor do I think that any embarkation of slaves has taken place in that district. I received a most favourable account of the character of the present Governor, Senhor João Antonio das Neves Fereira, when he received the appointment, and that character he appears to have merited. If the Governor of districts conscientiously determine to put an end to slave-trading, they have it in their power to do so, as no embarkation of slaves can take place without their receiving previous notice of the intention, or the circumstance coming to their knowledge after the event has occurred.

It is with great regret that I have to report the formidable proportions that the trade in libertos to St. Thomé has assumed. No vessel leaves this port for that island without conveying ten of them, and the business is not confined to the mercantile class and the owners of vessels trading to that place, but ships have been purchased by persons in no way connected with trade, and are used specifically for that purpose. Slaves have still twelve years' forced service to perform unless previously freed, the libertos have to serve ten years. There is no other difference that I have been able to discover between the position of the liberto and that of the slave; they have to perform the same duties and are subject to the same authority. They are, moreover, forcibly taken from here against their wishes and consent, and are in every respect treated as slaves. A mere change of name cannot surely alter the character of the service, and the whole proceeding is simply the Slave Trade under a very flimsy disguise. It would be certainly to be regretted that a valuable and fertile island should remain a wilderness and a waste in default of hands to cultivate it, but it appears to me that the colonists there possess an easy method of obtaining the necessary amount of labour. There could be no objection, I imagine, to their offering their freedom to such slaves on the continent as would volunteer to go to the colony as free emigrants.

It is obvious that as a preliminary step it would be necessary peremptorily to abolish slavery in the island, otherwise the emigrants would be confounded with the slaves already there, and be inevitably reduced to a state of slavery. No great sacrifice would be needed, as the number of slaves now there must be exceedingly limited. The negroes that were sent to the colony during the administration of this Province by Senhor Calheiros were designated "free blacks," and those that were sent during the administration of the present Governor-General, Senhor Jose Baptista d'Andrade, were called "libertos." There could be no pretence therefore for calling them slaves, and demanding compensation for them in that character, neither would it be to the interest of the colonists to prefer any such claim if they obtained at a very moderate outlay as many hands as they could possibly require. Slaves (field hands) can now be purchased here for four our five pounds, and as it is perfectly understood that slavery in the Portuguese possessions will very shortly come to an end it is not probable that the price will be enhanced by the demand. It behoves the colonists to take immediate steps to obtain the labour they so much need; they can now do so, by offering their liberty to slaves on the condition of their emigrating. Should slavery be abolished, they assuredly will not be able to compel them to emigrate as libertos, or under any other designation.

The Portuguese corvette "Sa da Bandeira," the ship of Commander João Baptista Garção, Senior Officer of the Naval Division, left this port for Lisbon in the month of June, on being relieved by Commander Viegas d'O, in the corvette "Infante D. João." Captain Vieigas assured me when I visited him on his arrival, that he considered the Slave Trade, apart from its inhumanity, most injurious to the interests of the Province, and assured me that he would spare no effort to put an end to it. He has since his arrival made a voyage to St. Thomé, but has not yet visited the coast to the southward.

It is now many months since a ship of war of either nation has been stationed there, a circumstance in my opinion much to be regretted.

(Signed) W. VREDENBURG.

Loanda, September 30, 1865.

No. 48.

Her Majesty's Commissioner to Earl Russell.—(Received December 2.)

(Extract.) *Loanda, October 9, 1865.*

I HAVE the honour to report to your Lordship that his Excellency Senhor José Baptista d'Andrade gave up the charge of the Government of the Province on the 30th ultimo, and left this city on the 2nd instant.

The frank, honest, and truthful character of Senhor Andrade was such as to inspire sentiments of esteem, confidence, and respect in the minds of all who had relations with him, and it was with the greatest possible regret that I took my leave of him.

No. 49.

Her Majesty's Commissioner to Earl Russell.—(Received December 2.)

My Lord, *Loanda, October 10, 1865.*

I HAVE received information from Commander Grubbe that on the 6th instant Her Majesty's ship "Jaseur," under his command, captured a brigantine, name unknown, fully equipped for the Slave Trade.

Captain Grubbe appears to have ascertained that the brigantine had already held communication with Mangue Grande, and had she not been captured would in a few days have embarked at that place 500 or 600 slaves. It also appears that she cleared from Cadiz on or about the 18th July.

I have, &c.
(Signed) W. VREDENBURG.

No. 50.

Her Majesty's Commissioner to Earl Russell.—(Received December 2.)

My Lord, *Loanda, October 19, 1865,*

I HAVE the honour to inform your Lordship that the Portuguese brig "*Maria*," detained on the 5th ultimo by Her Majesty's ship "Ranger," on suspicion of being engaged in the Slave Trade, has been under trial before the Mixed Commission since the 13th of last month. It has been agreed that the vessel shall be released, no proof having been produced that she was so engaged; but the claim set up for damages by the owner's proctor having been supported by the Portuguese Commissioner and resisted by me, will be referred to arbitration, to-morrow being the day appointed to draw lots to decide on the person who shall act as arbitrator.

The late Governor-General, who acted as Portuguese Commissioner throughout the greater part of the proceedings, left this city for Lisbon before the whole of the evidence had been taken; since his departure, Senhor Mendes Affonso, who is President of the Tribunal da Relação and also President of the Concelho do Governo, has been acting in that capacity.

I will have the honour, by the next opportunity, of transmitting to your Lordship a detailed report on the case.

I have, &c.
(Signed) W. VREDENBURG.

No. 51.

The Earl of Clarendon to Her Majesty's Commissioner.

Sir, *Foreign Office, December 23, 1865.*

WITH reference to your despatches of the 17th August and 7th October last, relative to the export of slaves under the plea of their being libertos from Loanda

to the Island of San Thomé, I inclose, for your information, copy of a despatch on this subject which I have addressed to Her Majesty's Minister at Lisbon.*

I am, &c.
(Signed) CLARENDON.

LOANDA. (*Board of Superintendence.*)

No. 52.

Her Majesty's Commissioner to Earl Russell.—(Received March 7.)

My Lord, *Loanda, December 31, 1864.*

I HAVE the honour to forward a translation of the Report of the Curator of Liberated Africans for the quarter ending this day.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 52.

Report of the Acting Curator of Liberated Africans for the Quarter ending December 31, 1865.

(Translation.)

I HAVE the honour to inform the Board of Superintendence of Liberated Africans, that during the past quarter I visited several times the libertos in charge of the said Board, and found:—

1. That the 26 libertos remaining in the barracks, as well as those granted to private individuals, and the 6 given to the Corporation, had received proper treatment.

2. That of the libertos granted to private individuals, some were employed as domestics, and others as labourers in the suburbs of the city; those granted to the Corporation, in the service of the Municipality.

3. That by a communication of the President of the Municipal Chamber, dated the 3rd November last, the liberto Panzo was sent to me for promoting disorder, who by order of the Board was sent for punishment to work on the fortifications at Fort St. Miguel.

4. That on the 4th of the same month, by order of the Board, the liberto Pedzo João was sent to the President of the Municipal Chamber to replace the liberto Panzo.

5. That the only liberto who still remained ill with small-pox in hospital, according to the Report delivered last quarter, has quite recovered. At present there is no liberto sick in hospital.

6 That during the year 1864, there were 56 libertos; but as the 2 who had run away, as is seen by the list which was given last year, have reappeared, the total became 58, of whom 4 have died, there remaining therefore now 54.

Loanda, December 31, 1864.

The Acting Curator,
(Signed) JOAQUIM FILIPPE D'ANDRADE E OLIVEIRA.

No. 53.

Her Majesty's Commissioner to Earl Russell.—(Received September 25.)

My Lord, *Loanda, June 30, 1865.*

I HAVE the honour to forward a translation of the Curator of the liberated Africans for the quarter ending this day.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure in No. 53.

Report of the Curator of Liberated Africans for the Quarter ending June 30, 1865.

(Translation.)

I HAVE the honour to inform the Board of Superintendence of Liberated Negroes, that in the course of the quarter ending this day, having visited several times the libertos under the care of the said Board, I found,

* Class B., No. 114.

1. That they all received proper treatment.
2. That those libertos granted to private individuals were employed in household services, and others in labour in the suburbs of the city. Those granted to the Municipal Chamber in the service of the Corporation.
3. That on the 28th April last the liberto Pedro, who had been granted to the Corporation, as appears by the report for the fourth quarter of the year last past, was returned to the Board; and the libertos Luzia and Josepha, who were in the service of Innocencio Maltoza da Camara, on the 23rd May were also returned to the Board.
4. That the libertos João Antonio and Carolina, who were taken in the launch "E," are in a condition to be liberated, not only because they are of the prescribed age, but also because they can maintain themselves, and likewise on account of their good behaviour.

(Signed) M. A. DE CASTRO FRANCINA, *Curator.*

Loanda, June 30, 1865.

No. 54.

Her Majesty's Commissioner to Earl Russell.—(Received September 25.)

My Lord, *Loanda, July* 12, 1865.

BY reference to the Report of the Curator of the liberated Africans which formed the inclosure of my despatch of the 30th June, your Lordship will observe that the Curator recommended in the concluding paragraph that two of the libertos who had been taken in the launch "E" should have papers conferring unconditional freedom granted to them. A meeting of the Board of Trade was convened on the 7th instant, for the purpose of taking the question into consideration, and the Curator having presented a list of ten more whom he considered in a position to gain their living unassisted, they were called before the Board and examined; two of them stated that they had no means of gaining a livelihood, and declined to accept their absolute freedom; to the others their altered position was explained, and papers in the usual form were ordered to be prepared and delivered to them.

I have the honour to transmit to your Lordship a translation of the minutes made on the occasion, containing the names of the libertos to whom unconditional freedom has been granted, and the vessels in which they were taken.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 54.

Minutes of a Meeting of the Board of Superintendence, July 7, 1865.

(Translation.)

ON the 7th July, 1865, at the palace of the Government at Loanda, the Board of Superintendence of Liberated Africans having assembled, the Curator said that the libertos taken in the launch "E," João Antonio and Carolina Antonio (as he had already observed in his report for the second quarter of the present year) were fit to be set free, not only because they were of the prescribed age, but also because they could obtain a livelihood, and had behaved well during the time they had been under the charge of the Board; it was therefore resolved to grant to the said libertos, João Antonio and Carolina Antonio, their freedom, and the necessary papers were ordered to be made out and delivered to them in the usual form. At the same meeting the Curator, having reported that the following libertos, all of whom appeared before the Board, were in a like condition, namely, Antonio, Manoel, Raphael Graxate, and Maria de Ambriz, taken in the launch "Tigre," and Pedro João, Gregorio Manacula, Thobia Maialu, and João, taken in the launch "Maria Izabel," it was resolved that papers of freedom should likewise be given to them. The Board further resolved, on the information of the Curator, that the liberto, Panzo, who had been sent for punishment to Fort St. Miguel, should be discharged.

There being no other business to transact, the meeting closed.

(Signed) ANDRADE, *Governor-General.*
W. VREDENBURG.
M. A. DE CASTRO FRANCINA, *Curator.*

No. 55.

Her Majesty's Commissioner to Earl Russell.—(Received December 2.)

My Lord, *Loanda, October* 1, 1865.

I HAVE the honour to transmit the Report of the Curator of liberated Africans for the past quarter.

I have, &c.

(Signed) W. VREDENBURG.

Inclosure in No. 55.

Report of the Curator of Liberated Africans for the Quarter ending September 30, 1865.

(Translation.)

I HAVE the honour to inform the Board of Superintendence of Liberated Africans, that during the quarter ended this day, I several times visited the libertos under the charge of the said Board, and found:—

1. That all received proper treatment.
2. That those libertos granted to private individuals were employed in domestic service and labour in the suburbs of the city, and those granted to the Municipal Chamber in service of the Corporation.
3. That on the 7th July last the liberto, Bengur, disappeared from the barracks.
4. That on the same day proper documents of freedom were given to the libertos, João Antonio and Carolina Antonio (taken in the launch "*E*"), to Antonio, Manuel, Raphael Graxate, and Maria du Ambriz (taken in the lauch "*Tigre*"), and to Pedro João, Gregorio Manacula, Thobias Maralu, and João (taken in the launch "*Maria Isabel*").
5. That on the 31st of the same month was returned to the barracks the liberto, Manguvi, who was in the service of Innocencio Maltoza da Camara.

(Signed) M. A. DE CASTRO FRANCISCO, *Curator.*

Loanda, September 30, 1865.

NEW YORK.

No. 56.

Her Majesty's Commissioners to Earl Russell.—(*Received February* 6, 1865.)

My Lord, *New York, December* 31, 1864.

WE have the honour to report to your Lordship that no case has been brought for adjudication before the Mixed Commission Court established at New York, under the Treaty between Great Britain and the United States of America for the suppression of the African Slave Trade, during the year ending this day.

We have, &c.

(Signed) E. M. ARCHIBALD.
W. D. RYDER.

No. 57.

Mr. Layard to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, April* 29, 1865.

I AM directed by Earl Russell to transmit to you herewith a copy of a letter from the Commander of Her Majesty's ship "Griffon,"* which has been communicated to me by the Lords Commissioners of the Admiralty, containing information respecting the movements of the notorious Spanish steamer "*Ciceron,*" which vessel has been again thwarted in an attempt to ship a cargo of slaves from the African coast.

I am also to add that Her Majesty's Minister in Mexico and Her Majesty's Consul-General at Havana have since reported that the "*Ciceron*" is now sailing under the name of the "*Margarita Quintero.*"

I am, &c.

(Signed) A. H. LAYARD.

* Inclosure 3 in No. 65.

REPORTS FROM NAVAL OFFICERS.

WEST COAST OF AFRICA STATION.

No. 58.

Commander Richards to Commodore Wilmot.

"*Dart*," *at Sea, Lat.* 0° 10′ *S., Long.* 8° 2′ *E.*,
July 25, 1864.

Sir,

I HAVE the honour to report that on the 22nd instant, off Mayumba Bay, I chased and boarded a brigantine showing Italian colours.

2. The boarding officers having returned and reported her to be a suspicious vessel, I went on board myself; and after the usual formalities called for before searching a foreign ship, I caused her hold to be cleared of the upper portion of her cargo, upon the removal of which she was found to have a regular ground tier of water-butts, filled, and actually containing some 6,000 gallons of water, and others round the wings capable of holding some 3,000 gallons more. Plank for a slave-deck was concealed round the wings also.

3. Upon this discovery being made, I informed the captain (or the person answering as such) that it would be necessary for me to conduct her to Genoa, as an Italian vessel engaged in the Slave Trade; and that it would be also necessary for me to remove a portion of the crew, to ensure the safety of the prize-crew I should place on board of her, which I proceeded to do, and selected for removal half his men and a passenger he had on board. At the same time I took possession of and sealed the papers found on board.

4. As soon as the men and passenger were removed from the brigantine the Italian colours disappeared, and the captain refused to re-hoist them, and disclaimed all title to the protection of the Italian flag.

5. I thereupon took possession of her as a prize, and have sent her to Sierra Leone (in charge of Mr. J. R. Osborn, Second Master, with a crew of seven men) for adjudication in the Vice-Admiralty Court of that Colony.

6. The history of this slave-vessel being of rather a novel and peculiar kind, I am necessitated to enter rather closely into it, in order to make the case plain to you.

7. There is no doubt that she was equipped for the Slave Trade in the London Docks, where she appears to have borne the name of the "*Charles*" (up to the 7th of April at all events), as a loose memorandum found among the papers of the passenger shows the tare of casks shipped in the London Docks on that day on board the schooner "*Charles*," to have been in all 6,100 gallons. The name of the "*Charles*" was on the stern at the time of capture in large letters imperfectly painted over, the name of "*Melvira*" being on a moveable batten nailed on the edge of the taffrail.

8. The person who is said to have fitted the vessel, and in whose name those papers which she had on board were made out, was Mr. Giuseppe Bottero, whose address, as read in some of the papers sent into Court, appears to have been "142, Minories;" the initials ["G. B."] were also on the casks and cases forming the cargo.

9. The two papers from the Italian Consulate-General, London (to all appearance genuine, as they bore the Consular stamp of Italy), upon which the supposed master, Adolpho Schotto, relied, were: 1st, a provisional certificate (dated April 22, 1864, and signed "G. B. Heath") for the "*Melvira*," which was to hold good until the arrival of the regular papers which had been demanded of the Minister-General

of Marine; and, 2nd, a list of the crew (also signed "G. B. Heath"). The last name on this list was Giuseppe Bottero, who it would appear was to have accompanied the vessel, but who was not forthcoming at the time of my visit on the muster-roll being called.

10. In place of the missing "Bottero," however, there was the passenger before alluded to, who is in no way accounted for; he is undoubtedly American, but does not think it expedient apparently to claim that nationality. The name of Temple was on most of the nautical books and instruments sent into Court, and was also attached to the memorandum about the casks before referred to.

11. The documents from the Italian Consulate-General are dated 22nd April; on the same date there is a certificate from the Custom-house, that the schooner "*Melvira*" has paid pilotage dues; the 23rd, according to the journal, finds her going down the Channel, she then goes into Lyme Regis, and adjusts compasses and completes arrangements, and then weighs for the Cape de Verde Islands.

12. Dated on May 18th, there is a certificate from the Custom-house of the Islands of Sal (Cape de Verdes), to say that the "*Melvira*," Captain Adolpho Schotto, cleared from that port on the 18th May for Little Fish Bay. with nine persons in the crew, and a general cargo.

13. On the 23rd July, when boarded off Mayumba, the Captain states that his chronometer was out of order, and that he had been set in upon the coast by light winds and contrary currents; but upon my causing his positions as given in the journal to be placed upon a chart, his track was quite complete to 26° south and 25° west, and then gradually round St. Helena to Mayumba, crossing the Congo on July 14th, about 120 miles from its mouth.

14. I cannot ascertain whether the plank was shipped in London or at the Cape de Verdes, but as the casks were taken on board in the docks it is probable that the timber was also.

15. I have been unable to ascertain if the master had in that or any other vessel shipped slaves.

I have, &c.
(Signed) FREDK. M. RICHARDS.

No. 59.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.) "*Rattlesnake*," *off the Benin River, December* 25, 1864.

I ANCHORED off Benin at noon of the 22nd December; there are several merchant-vessels here waiting for the trade to be re-opened, which I see no prospect of at present, as the whole of the fine has not been paid up: eighty-five puncheons are demanded, of which only fifty-one have been sent in.

It is my intention to enter the river in the "Lee," for the purpose of holding a palaver with the natives on this subject, and the merchants think I shall succeed in making them pay up. If unsuccessful, the only course to adopt will be to let the trade remain stopped, as it is at present, until they pay up the fine that has been imposed; and, if necessary, to add an additional number of puncheons for the non-fulfilment of their agreement with us.

I have received communications from the Senior Officer of the Southern division to the 10th November; he makes no mention of any shipments of slaves, and everything appears satisfactory.

No. 60.

Commander Battiscombe to Commodore Wilmot.

Sir, "*Snipe*," *Congo, October* 10, 1864.

I HAVE the honour to acknowledge the receipt of your Memorandum dated 23rd August, directing me to send to you, for the information of their Lordships, full particulars of the circumstances attending the boarding of the Portuguese mail-steamer "Zaire," on the 20th February, by an officer of Her Majesty's ship "Snipe."

1. On the 20th February, at 12·5 P.M., a vessel was reported steaming to the

westward. I immediately ordered the fires to be lighted, and at 1·15 proceeded under steam so as to intercept her; the wind being very light I did not require to shorten sail, and in this manner steamed across her bows, she being, at that time, about six ships' length off. The screw was stopped, and I fully expected she would have stopped also. Finding that she did not do so I shortened all sail and steamed after her. The steamer still proceeding I ordered a blank gun to be fired, we being then about 300 yards astern of her. Soon afterwards she stopped.

2. Lieutenant Shuckburgh and Mr. Hasler, Assistant Paymaster, both dressed in proper uniform, went in the second whaler, which had an ensign and pendant flying, and boarded the steamer, which was flying Portuguese colours. There was no officer to receive Lieutenant Shuckburgh, and on his asking for the captain he was told by one of the seamen that he was on the bridge. On Lieutenant Shuckburgh offering the officer on the bridge a copy of the Treaty between Portugal and England, also Form No. 2 in the Slave Trade Instructions, he (the captain), said he did not understand the English language, and would not take the papers. On Lieutenant Shuckburgh asking to see the ship's papers he walked aft to the cabin, making use of the expression "no gentleman," and intimating that we would not have stopped a French steamer. When Lieutenant Shuckburgh had examined the papers and found them correct, he expressed to the captain (in my name) his regret that she should have been detained, and explained to him that not knowing the vessel by sight was our reason for doing so.

The captain on that appeared perfectly satisfied, and expressed himself so through one of the passengers. He would not allow any entry to be made in his log.

3. I cannot understand why the captain of the "Zaire" should have said that we crossed his bows with malicious intent, as the men were not at quarters, neither were the guns cast adrift, and we gave him sufficient room to steam across our stern, without having occasion to alter his course.

I have, &c.
(Signed) A. BATTISCOMBE.

No. 61.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," near Lagos, January* 6, 1865.

I BEG to acquaint their Lordships that, finding I could not with safety pass over the bar of the Benin River in the "Lee," I left that anchorage on the afternoon of Christmas, December 25, for Lagos, to bring the "Investigator" down.

2. I was also anxious to meet Colonel Ord, R.E., who had apprised me of his arrival in the "Gladiator," but was unfortunately unable to do so, being obliged to return to Benin on the afternoon of the 28th.

3. Colonel Ord had requested the presence of Commander Lindsay, Senior Officer of the Bights, to give him information, &c., and I found him in the river on my arrival at Lagos. "Investigator" had been sent up for him.

4. I arrived off Benin again on the morning of the 29th with "Investigator" in tow, immediately crossed the bar, and went into the river, anchoring off Messrs. Horsfall's factory, on the left bank; several officers accompanied me.

5. The agents were very glad to see me, and I sent off to the Chiefs to desire their attendance on the following day.

6. At 10 A.M. accordingly the three Chiefs, Jerry of Jacqua, Jebuffo his brother, and Chinomé, of Boohie, came in great state from their different towns, with a large body of followers, to Messrs. Horsfall's factory, where I was staying.

7. After a few compliments I proceeded to business, and gave them a severe lecture on their breach of faith and improper conduct, as well as how much their interests depended upon the white man; finally telling them that if every gallon of oil composing the fine was not paid up in seven days from that time the merchants would leave the river, and that no more trade would be allowed with Benin.

8. They wanted me to let them off some of the puncheons, but I would not yield in any way, and I am happy to inform their Lordships that the whole fine, amounting to eighty-five puncheons, was paid in on the fourth day after my arrival in the river.

9. Trade has again been opened, and general rejoicing and customary presents

have passed between myself and the Chiefs, who have faithfully promised to keep their word for the future, and follow all the advice I have given them.

10. I have also let the traders understand what their conduct should be, and that they must observe equal justice in their dealings.

11. The Chiefs are shrewd and intelligent, and were much pleased when I spoke to these gentlemen on this subject. I do not apprehend any further disturbance or any future obstacle in the way of trade.

12. Inclosed is a copy of a letter I have written to Adjoké on the subject of his outrage. Their Lordships will see that I have inflicted a fine of twenty-five puncheons upon him, and that no trade is to take place with him until this is paid.

13. My letter to the agents is also inclosed.

14. Warré is 130 miles up the river, and I did not think it advisable to take the "Investigator" up there, as her engines are not in very good order, and if any "break down" had taken place serious consequences might have ensued.

15. Adjoké has nothing whatever to do with the trade at the entrance of the river, nor does he possess any influence over the Chiefs, but he sends palm oil down the river, and sells it to those who will purchase it from him; consequently the stoppage of trade with the white man will be a great loss to him.

16. The Chiefs think that he will soon pay the fine.

17. I left the river on the forenoon of the 5th instant, and Benin on the morning of the 6th, with "Vindictive" and "Investigator" in tow.

18. "Investigator" will part company this evening at 6 o'clock, and I shall hope to be at Jella Coffee on the evening of the 8th or the morning of the 9th.

19. I beg to inclose a copy of a letter from the traders to myself upon the successful termination of this business, and another from myself to Mr. Forshaw, agent to Messrs. Horsfall, pointing out how the fine is to be disposed of.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 61.

Commodore Wilmot to Adjoké.

"*Rattlesnake*," *off the Benin, December* 31, 1864.

YOU have committed a violent outrage on Mr. Hineson, clerk to Dr. James, who is agent for Messrs. Harrison and Co., merchants trading in the river, by forcibly taking him from his beach and flogging him at your house.

2. This proceeding is against all law, and contrary to all proper treatment and justice. You have violated your good faith, and shown that the person of the white man is not safe amongst your people.

3. If Mr. Hineson had committed an act of wrong against your slave, Malay, you should have represented the matter to Dr. James, and it would have been his bounden duty to have given satisfaction had Mr. Hineson been in fault, but instead of this you gave your sanction to the outrageous proceeding which afterwards took place.

4. If the white man is still to continue to live in this river, and trade with the Chiefs and people, he must be protected in his person and property, and the King's sons and Chiefs are answerable for his safety.

5. Shame to Africa that after so many years of friendship and intercourse with the white man the Chiefs and rulers of the people should still so little understand what their conduct ought to be!

6. For this outrage I have imposed a fine of twenty-five puncheons on you, and until this is paid all trade will be stopped between yourself, your two brothers, Nevurie and Chamwanie, with Warré, and with your people.

7. Six months will be allowed for payment of this fine, and, if not sent in at the end of this time, there will be no trade with Warré for a further period of twelve months.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 2 in No. 61.

Commodore Wilmot to Messrs. James, Forshaw, and Clarke.

Gentlemen, "*Rattlesnake*," *off the Benin, December* 30, 1864.

IN consequence of the outrage committed by Adjoké and his people at Warré on the person of Mr. Hineson in May last, I hereby desire, in the name of Her Majesty's Government, that you will not trade with Adjoké, his two brothers, Nevurie and Chamwanie, with Warré, or the people of that place, until a fine of twenty-five puncheons of oil, which I have imposed upon Adjoké, has been paid.

I have allowed six months for the payment of this fine, which, if not settled at the end of this time, the trade will be stopped for a further period of twelve months, and, if not then paid, all trade with Warré will be stopped for ever.

I am, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 3 in No. 61.

Messrs. James, Forshaw, and Clarke to Commodore Wilmot.

Sir, *Benin River, January* 3, 1865.

WE, the undersigned British merchants residing in Benin, feel that it is due to you that we express our thanks for the able and conciliatory manner in which you have brought our late misunderstanding with the Native Chiefs to such a satisfactory termination. We think that this satisfactory termination has been brought about by the effect your punctuality has had on the native mind, and by the firm, dignified, yet urbane manner, in which you conducted the late negotiation.

We therefore beg to tender you our best thanks and good wishes.

We are, &c.

(Signed) J. E. JAMES, *Agent for J. Harrison and Co.*
THOS. S. FORSHAW, *Agent for Messrs. Horsfall.*
H. C. CLARKE, *Agent for Stuart and Douglas.*

Inclosure 4 in No. 61.

Commodore Wilmot to Mr. Forshaw.

Sir, *"Rattlesnake," off Benin, January* 5, 1865.

THE fine imposed upon the Chiefs of Benin, consisting of 85 puncheons of oil, being now paid, it is to be disposed of as follows: 50 puncheons to Mr. Henry, 5 puncheons to Dr. James, 30 puncheons to Her Majesty's Government, total 85.

The puncheons for the Government are to be sent to England in one of Messrs. Horsfall's ships.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 62.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," off Sierra Leone, February* 14, 1865.

WITH reference to their Lordships' letters of the 21st November and 13th December, I have directed Commander Ruxton of the "Pandora" to visit the Bonny and Cameroons, for the purpose of carrying out their Lordships' directions with regard to affairs there.

2. Inclosed are my instructions to Commander Ruxton on this subject, and I have every reason to hope from the zeal and ability of this officer, combined with his knowledge of the African character, that a satisfactory solution will be accomplished.

3. I also forward for their Lordships' information, copies of letters I have written to the British merchants in the Bonny on the same subject.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 62.

Orders addressed to Commander Ruxton.

Memo.

YOU will visit the Bonny and Cameroons for the purpose of carrying out their Lordships' instructions, as contained in the accompanying letters.

With regard to King Bell of the Cameroons, the difficulty does not seem so very great; and you will in the most kind and courteous manner acquaint His Majesty that the British Government is not prepared to place a cruizer at his disposal for the purpose of carrying him to England, neither can they find him a passage in the mail-steamer. You will endeavour to settle any grievances he may have to complain of in an amicable manner, and you have my permission to make him a present of cloth, &c., if you succeed in establishing a good and friendly feeling.

The Bonny affair is of far greater importance, and will require great judgment, firmness, and discretion.

King Pepple has disturbed the harmony and trade of the River Bonny for some time past, and there is no doubt that something must be done to bring him to a right way of acting for the future.

The fine of 240 puncheons of oil inflicted by Consul Burton, seems, to me, to be very large, and it will be for you to inquire from the merchants whether this cannot be reduced within the bounds of reason.

The value of 240 puncheons to the King, would at 12*l.* per ton, be equal to 2,880*l.* In England this would be increased at 30*l.* per ton to 7,200*l.*

My own opinion is that such a fine is exorbitant, not only on account of its being so very large, but because it is not the wish of the British Government to make money by the Kings and Chiefs of this country; the great object being to show them that they cannot violate their word with impunity, and that they must respect Treaties as well as protect the lives and property of those who come amongst them for trading purposes.

A fine is imposed, not so much for its intrinsic value as for showing the Kings and Chiefs that the British

Government will not put up with their nonsense, and that they have the power as well as will to protect their subjects in these African rivers.

You will, therefore, tell King Pepple from me, that his conduct has been very bad, and that if he continues to violate the Treaties made by him with the British Government, and to set himself against all the rights of trade as well as commit such gross acts of injustice and unfair dealing with the English traders, that all trade in the river will cease, and that the traders will leave it. In addition to this, the King must be prepared for other measures to be adopted against him by the squadron on this coast, and most assuredly if force is once resorted to, the King's position will be very seriously jeopardized.

You will reason with him on the impropriety of his conduct, and show him that if he wishes trade and prosperity to his country, he must be just and honest in his dealings with every one.

The fine may be reduced to 100 puncheons, and you will give the King two months to pay this. You will consult with the merchants about stopping the trade till this is paid, and whether in the event of its not being settled at the end of the appointed time, it will not be advisable to leave the river and blockade it.

I have every confidence in your knowledge of the African character, and the proper way of dealing with the Chiefs in these transactions.

You will leave with the merchants the inclosed letter from me, which they will consider it their duty to carry into effect if the fine is not paid at the appointed time.

You will send me an account of your proceedings by the mail-steamer, and you are also to acquaint the Senior Officer of the Bights Division with the result of your visit.

After having done this, you will go on to the South Division and follow the orders of the Senior Officer.

Given on board the "Rattlesnake," February 11, 1865.

(Signed) A. P. EARDLEY WILMOT.

To W. F. Ruxton, Esq.,
Commanding Her Majesty's gun-vessel "Pandora."

Inclosure 2 in No. 62.

Further Orders addressed to Commodore Ruxton.

Memo. "*Rattlesnake*," *off Sierra Leone, February* 14, 1865.

IN continuation of my instructions to you of the 11th instant, in relation to your proceedings in the Bonny, you will give the traders to understand that they must deal honestly with the King in all their transactions with him; and you will take into your serious consideration the question of the amount of comey to be paid from henceforth, whether it shall be in money or by bills on London, and whether, in the event of its being paid in goods, the amount should not be raised so as to make up its full amount in silver.

Thus suppose the comey is *5s.* per ton of oil, let this be paid in money which will be actually *5s.*; but if goods are given instead, it will be found that *8s.* worth of goods are scarcely equal to *5s.* in money.

This is a question that you must decide with fairness to all parties, because the King has no revenue besides.

(Signed) A. P. EARDLEY WILMOT, *Commodore Commanding.*

Commander W. F. Ruxton,
Her Majesty's gun-vessel "Pandora."

Inclosure 3 in No. 62.

Commodore Wilmot to the British Merchants in the River Bonny.

Gentlemen, "*Rattlesnake*," *at Sierra Leone, February* 11, 1865.

CAPTAIN W. F. RUXTON, of Her Majesty's ship "Pandora," has been selected by me to visit the Bonny for the purpose of endeavouring to settle the questions in dispute between yourselves and King Pepple.

2. I have every confidence in his judgment and ability for this particular service, and you will communicate with him freely upon all points at issue on this subject.

3. You will see the instructions I have given him, and, in the event of King Pepple not complying with the same, I desire, in the name of Her Majesty's Government, that you give up all trade with him and his people until it is paid (that is to say, for the two months allowed); and at the expiration of this time, if the King still declines to pay, you prepare to leave the river and be ready to embark on board your owners' ships.

Should this be the result of King Pepple's obstinacy, you will send by the earliest opportunity a letter to the Senior Officer in the Bights Division, in which you are to state the whole of the circumstances, and requesting that a cruizer may be sent to your assistance.

I have given directions to the Senior Officer to comply with your request in the event of such assistance being required; but I have every reason to hope that a combination of firmness, kindness, and conciliation will effect the object in view, and that the King will wisely come to our terms and understand his position.

I am, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 4 in No. 62.

Commodore Wilmot to the British Merchants in the River Bonny.

Gentlemen, "*Rattlesnake*," *off Sierra Leone, February* 14, 1865.

I HAVE sent the "Pandora," Commander Ruxton, to place himself in communication with you relative to the affairs in the Bonny, and he will show you my instructions on this subject.

You will see that it is my desire to settle matters in an amicable manner, in order that trade may go on undisturbed, and that your future relations with the King may be those of friendship and goodwill; but, at the same time I will not submit to any indignity being thrown upon the British Government, nor permit our traders in the river to be imposed upon.

What is just and proper must be paid to the King, after having been agreed to by all parties, but he shall not violate Treaties with impunity, nor raise the tax on comey upon the produce of his country for his own convenience and at his own will and pleasure.

The English traders in Africa, whether in the rivers or elsewhere, must show an example of justice, honesty of dealing, and good conduct in all their transactions with the natives.

If this is not done, the Chiefs and others in their employment will most assuredly follow their example, and we shall be in constant antagonism with them.

It seems to me that the fine of 240 puncheons imposed by Captain Burton is beyond the mark of justice and moderation, and that this alone is the reason why the King refuses to pay.

I have authorized Captain Ruxton to reduce it to 100 puncheons, unless you can give him good and sufficient reasons for not doing so, in which case the same alternative will be given to the King as if it had been reduced.

Your own knowledge of Africa and the African character, which I will not pretend to say is perfect, as well as the desire of the British Government to avoid all hostilities with the people of this country, in addition to the interest of your owners, will, I trust, lead you to consider my remarks in a friendly spirit, and induce you to exert your best energies for an equitable settlement of this important question.

I have desired Captain Ruxton to settle the question of comey with fairness to all parties.

I am, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 63.

Commodore Wilmot to the Secretary to the Admiralty.

"*Rattlesnake*," *at Sea, Lat.* 0° 17′ *N., Long.* 0° 19′ *W.*,
Sir, *January* 23, 1865.

I HAVE the honour to forward, for the information of their Lordships, the inclosed translation of a letter received from the Commander-in-chief of the French naval forces on this station.

I have, &c.
(Signed) A P. EARDLEY WILMOT.

Inclosure in No. 63.

Rear-Admiral Laffon de Ladebat to Commodore Wilmot.

(Translation.)
Sir, "*Armorique*," *Gaboon, August* 25, 1864.

I DEEPLY regret not having been able to fall in with you up to the present time, but I hope to be more fortunate shortly, as I am going to the Bight of Benin. I learned with pleasure by your letter of the 18th April, 1864, that Her Britannic Majesty had confided to you the chief command of her naval forces on the West Cosst of Africa, I beg you to accept my congratulation thereat, and to believe that I am very happy to have you as a colleague.

2. I have also to thank you for services rendered to our merchant-vessels by several captains under your command. I cannot be but gratified with the perfect courtesy of all your officers, and I entreat you, Sir, to rely upon my good wishes in here maintaining that perfect understanding which has for so long a time existed between the navies of France and England.

Be pleased, &c.
(Signed) LAFFON DE LADEBAT.

No. 64.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Sierra Leone, January* 30, 1865.

I HAVE great pleasure in forwarding for their Lordships' perusal the inclosed letters from Commander Ruxton, of the "Pandora," relative to his proceedings on the north division of the station.

Their Lordships will see that the capture of this schooner was owing to the zealous and unwearied exertions of Commander Ruxton and those under his command, and I have expressed to this officer, the second master, and the boat's crew, my high appreciation of their conduct on the occasion.

The destruction of this schooner and the escape of the slaves will have a highly beneficial effect on the slave-dealers on the part of the coast, and probably deter them from entering into such speculations again.

Commander Ruxton is the same officer who so nearly captured the "*Ciceron*" on the 7th May last year, and I cannot speak too highly of his zeal and ability on all occasions.

I have acquainted him that he is never to use force without my express

sanction, unless life and property are at stake, or other extraordinary circumstances demand it.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 64.

Commander Ruxton to Commodore Wilmot.

"*Pandora*," *at Sea, Lat.* 10° 14′ *N., Long.* 15° 3′ *W.*,
Sir, *November* 19, 1864.

I HAVE the honour to inform you that on my arrival at the Isles de Los, I received information that the slave schooner that had escaped from the Bremiah river had returned to the coast, probably for the purpose of picking up the slaves, boat, and supercargo mentioned in my letter of November 4th as left at that place.

On my arrival at the Nunez, I heard that she had run into the Componee River.

The head Chief of the Nunez, Yurrah by name, residing at Yukabelli, acknowledged that "he had shipped 70 slaves in her, and that she was to have gone to the Bremiah for more; that they hid in the Componce till the coast is clear of men of war."

I heard also that being shorthanded from her supercargo and boat being absent, the captain had got some of the slaves on deck, to assist when they suddenly rose, killed him and two of the crew, and escaped to the shore.

At daylight on the 17th, I weighed and went into the Componee as far as it was possible to take the ship, and despatched the boats in search of the schooner.

I beg to inclose a copy of my instructions to Mr. Edwards, second master, and his report of the destruction of the vessel.

I have great satisfaction in doing this, as the ship and boats have been in chase of her for three weeks.

I hope to be able to give an equally good account of her consort, which I have reason to believe is expected.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 2 in No. 64.

Orders addressed to Mr. Edwards.

Memo. "*Pandora*," *off Componee River, November* 17, 1865.

IT is my direction that you take the two whalers of this ship, and immediately on our anchoring proceed up the Componee River in search of the slave schooner that has escaped up that river.

The greatest expedition and diligence is required, as she will probably be hid in one of the numerous creeks.

If necessary, you will use force to procure a pilot.

Should they endeavour in any way to defend her, and she cannot be set on fire without serious risk, you will return to the ship for assistance.

(Signed) W. F. RUXTON, *Commander.*

Mr. J. Edwards,
Second Master, Her Majesty's gun-vessel "Pandora."

Inclosure 3 in No. 64.

Mr. Edwards to Commander Ruxton.

Sir, "*Pandora*," *November* 19, 1864.

I BEG to inform you that in compliance with your memorandum of the 17th instant I proceeded in charge of the 1st and 2nd whalers of this ship up the River Componee, and on the 18th I obtained a native pilot who conducted the boats up the river. At the point of an island I discovered the schooner, which had been run on shore and abandoned to avoid being captured. Finding it impossible to again get her afloat, owing to her being stuck on the rocks, and having no boat large enough to bring any equipments back to the ship, I removed her figure-head and some muntz metal and set her on fire, after taking her description and measurement, which I inclose.

I obtained the following information from the natives, that immediately after the vessel had taken the ground the slaves who were in her, amounting to 67 in number, made their escape, together with the crew, but they could not give me any information as to where they were.

I have, &c.
(Signed) J. EDWARDS, *Second Master.*

Inclosure 4 in No. 64.

Information called for by Paragraph 12, *Page* 35, *of Station Orders.*

1. FROM what port vessel cleared out, and for what port?—Bremiah River, for Cuba.

2. If with slaves, where shipped?—67, from Nunez; prevented shipping those from Bremiah by the appearance of a cruizer.

3. If the master had shipped slaves before?—No; it was his first trip.

4. The schooner had no colours, said to have Spanish owners, and had called at Teneriffe. Principal

manager of the Slave Traffic on this part of the coast, Signor Valentin Abdul; he comes and goes by the mail-packet, and generally brings a sum of money in gold with him.

He hires a boat at Sierra Leone to carry him to the rivers.

King Yurrah in the Nunez, Yanic Tongae, Chief of Cape Care in the Componee, the head Chief of Bremiah, and Ballah Demba, head Chief of the Colloon Bagas, are the shippers of slaves; the latter Chief receives 85*l.* a year from the British Government.

I have brought his conduct before the Governor, and his stipend will be stopped.

"*Pandora*," *November* 19, 1864.

(Signed) W. F. RUXTON, *Commander.*

Inclosure 5 in No. 64.

Commander Ruxton to Commodore Wilmot.

"*Pandora*," *at Sea, Lat.* 10° 59′ *N., Long.* 15° 50′ *W.*, *November* 20, 1864.

Sir,

I HAVE the honour to inform you that having obtained information on the Nunez River, that the slaves from the schooner were in the country of Yurrah, Head Chief of that river, I proceeded to his town with the boats of this ship, and endeavoured to make him give up the people to me. He refused, stating, "that accident had brought them back to him; that I had not caught them; that they were a long way off, and some of his people who had them would not give them up; that he was not an English subject, or bound by our laws; and that he had given some of them 'free books;' and by country law, having come on his coast, they were his."

As I was not certain that I had a right to them, I did not use any threats, which had I done I must have carried out. The King Yurrah, however, said, "It is true you can burn my town, but that will not get the slaves. I will go into the bush and destroy all the factories in the river. Besides," said he, "it would cost me a great deal to get them together." I made him promise to come next morning to the factory of M. Sainton, which he did. Acting on his words of the evening before, I told him that the sole object of the British Government was to remove the people from a state of slavery, and offered him 200 dollars for his expenses to bring in the people. He said he had given them (passed his word), and could not take them back. I firmly believe not more than 10 of the slaves would have accompanied me back to the ship.

Taking everything into consideration, I judged that Her Majesty's Government would not consider that I was right in using force, especially as it was uncertain if I should be able to carry my point further than destroying a town, stopping all the trade of the river, and rendering more miserable a few miserable wretches.

I endeavoured to point out to him that selling his people would not pay him as well as making them work, and told him to seize the next vessel and cargo and send to Sierra Leone to the Governor. He replied, "May I keep goods and doubloons?" I said, Certainly; and that argument did have some effect.

I settled some small difficulties about debts, &c., and took the Chief over to his town in our boats. We parted good friends.

I offered to take the Spanish crew to Gambia if they would give themselves up. I did so from motives of humanity, as one poor creature had died the evening before; but they were afraid, and I had no time to spare. Yurrah promised to send them to Bissao, and to give them some money.

I hope my proceedings on this occasion may meet with your approbation; and though I failed in obtaining the slaves, I did not in any way compromise the flag under which I have the honour to serve; and I am quite certain the presence of the ship and boats in the river was productive of good to our traders, as well as useful for the great end of putting a stop to the Slave Trade.

It is with great pleasure I have to bring to your notice the undeviating good conduct of the boats' crews of this ship. For the last three weeks they have been constantly toiling at the oars for ten or twelve hours a-day, with intense heat by day and tornadoes at night, during which time we have ascended the Mellacoree, Nunez, and Componee Rivers, and as far up the Rio Pongas, Dobreeka, and Bremiah as a boat would float.

It is satisfactory to add that we have but two slight cases of fever.

I have, &c.

(Signed) W. F. RUXTON.

No. 65.

Commodore Wilmot to the Secretary to the Admiralty.

"*Rattlesnake*," *off Sierra Leone, February* 16, 1865.

Sir,

MY last communication was upon parting company with the "Investigator," off Lagos, on 6th January. I have now the honour to report my proceedings since that date.

2. I arrived at Jella Coffee, with the "Vindictive," on the afternoon of the 8th January, and anchored her safely there, having placed my deck cargo of provisions, &c., brought from Ascension, on board at Benin.

3. The Bights squadron immediately commenced coaling and provisioning, and the five vessels composing it had finished their work long before a cruizer could have got half-way to Fernando Po, thus showing the beneficial results of the plan.

4. Everything for the safety and comfort of those in the "Vindictive" has been thought of, and I have left the "Rattlesnake's" launch to assist in the coaling duties, also a 6-pounder gun for her pinnace. I sailed from Jella Coffee on the 14th ultimo, and arrived at Sierra Leone the 30th, having made the greater portion of the passage under sail.

5. "Espoir" was in the port, having been detained by the Governor for duties connected with the presence of Brigadier-General O'Connor, and I allowed Com-

mander Peile to proceed to Sherbro with the General before leaving for the South, which he did on the 9th, and is to be stationed in the Bights.

6. "Pandora" came in on the 10th instant, and I despatched Commander Ruxton to render assistunce to a large French barque on shore on the bank of the Scarcies, assisting him with the "Rattlesnake's" pinnace and a number of men.

7. When she returns Commander Ruxton will go to the Bonny and Cameroons, on his way to the South Coast, for the purpose of settling affairs there.

8. Lieutenant Lang, in command of the "Lee," has been there, but affairs are still in an unsatisfactory state.

9. I sail to-morrow morning for Goree, and shall return in a week, for the purpose of being present at the opening of the Exhibition.

10. "Zebra" will take "Pandora's" place on the North Coast.

11. I inclose, for the information of their Lordships, some very interesting letters from Captain Marten, of the "Archer," and Commander Perry, of the "Griffon," relative to the chase of the slave-steamer "*Ciceron*," and capture of one of her boats by the latter vessel.

12. The "Highflyer" arrived on the morning of the 15th instant, and after receiving her Kroomen will sail to-morrow for the Cape of Good Hope. She brought the intelligence from Madeira of the loss of the African mail-steamer "Armenian." I have therefore not received their Lordships' despatches.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 65.

Captain Marten to Commodore Wilmot.

Sir, "*Archer*," *at Turtle Cove, December* 20, 1865.

I LEFT Loango on the 11th November, for St. Thomas, where I arrived on the 15th, and took advantage of the smooth water to strip topmasts and lower yards, and refit them. I left on the morning of the 18th to board a ship which proved to be a palm oiler.

On the 22nd I anchored for five hours at Annabon, where the natives are sadly off for cloth: they would not part with their fruit, pigs, &c., for money; but an old shirt would obtain ten times its value.

On Sunday the 27th, I arrived at Loango, and found there the "Wye," who had just completed, "Dart," and "Mullet." I dispatched "Mullet" to her cruizing-ground, and on Monday sent "Dart" to convey Her Majesty's Commissioner to visit the southern part of the station, having received from him a request for a vessel.

On Monday the 28th a badish calema commenced; but as I did not wish to detain "Wye," I completed provisions from her, and took in my six months' stores, which had been sent by her from Ascension.

The "Wye" left on the 29th, and I had intended weighing at 4·30 P.M., though the calema was taken off, when at 3·40 my small bow cable parted (5 fathoms water, 54 fathoms cable), I made sail and stood out to sea, leaving a cutter to anchor and watch buoy.

I came in again on the 30th, but found still too much swell to work at my cable; stood out to sea again, came in on the 1st December, crept for and got my cable, hove up anchor, and went to sea.

On the 2nd fell in with the "Griffon," and sent her into Cabenda, where I followed her on the 3rd December. I handed over the station orders, &c., to her on Sunday, and on Monday started for Loanda on my way to St. Helena and Ascension. I was hardly out of sight of "Griffon" when we observed a strange steamer to the north-west, steering about south-south-east; she came up to us very fast, and when we could see her lower yards, she suddenly altered her course to west; I chased her for forty-five minutes, quite long enough to convince me she had much the speed of us. I then stood in and communicated with "Griffon," and after doing so went on to warn "Snipe" in Congo. I ordered her over to Banana side to watch Vista well, and to keep her fires banked.* I then went on and blockaded Mangue Grande until the 12th, when I went on to Loanda and communicated with his Excellency the Governor-General, who, at my suggestion, most goodnaturedly ordered the "Sá da Bandeira" to sea to look for "*Ciceron*," as I have no doubt from the description we have of her that it was her I saw on the 5th.

I left Loanda on the 17th December. Under the circumstances I do not feel authorized to go south until I get "Dart" back from the southward (or until I am certain the steamer is off the coast), which I expect to do about the 1st January, when I shall go on my rounds leaving "Griffon" in charge.

On the 19th I anchored at Turtle Cove, found "Griffon" at Shark's Point, and "Snipe" gone up to Ponta de Lenha. I have desired Commander Perry, who has been very zealous and active in his attempts to thwart the steamer, to give you his own account of his proceedings.

There was a report at Loanda that there were slaves at Mangue Pequena; I looked in on the 18th. The "Sá da Bandeira" (now at anchor off Point Padron) was there yesterday, and the "Griffon" goes there to-day.

This day I got Commander Perry and Captain Garcon on board, and got them to cross question the Portuguese mate of "*Ciceron*," captured by "Griffon."

Commander Perry's letter is so minute that I cannot add any more to it.

I have directed him to hand the José Davidi, the mate, over to the "Sá da Bandeira" to be dealt with as the Governor-General shall decide; the four Manilla men, who own to no nationality, I have directed him to retain on board "Griffon" until he receives directions from you.

I have, &c.
(Signed) F. MARTEN.

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* She had seen the same steamer on the 24th November.—*Vide* extract from "Snipe's" letter of proceedings herein attached.

Inclosure 2 in No. 65.

Extract from "Snipe's" Letter of Proceedings.

Anchored off Point Padron.

2. ON the 24th November at 5·40 P.M., observed a steamer bearing north-west; she had three masts (short mizen and bowsprit), a high poop, and forecastle. She was seen till dark standing to the northward.

It being so late when she was seen, I did not get up steam to chase her; she appears to answer to the description of the steamer chased by "Pandora" in May.

Inclosure 3 in No. 65.

Commander Perry to Captain Marten.

Sir, "*Griffon*," *Shark's Point, December* 20, 1865.

I HAVE the honour to inform you that on the evening of December 5th, after receiving notification from you that a slave-steamer had been that day chased by "Archer" off Red Point, and that you thought it probable she might try to communicate off Black Point, I sent a whale-boat in shore to Banana for information, and ordered Lieutenant Acklom to cruize in the cutter off Red Point in order to intercept any boat the steamer might send in.

Weighed in "Griffon," and proceeded north, ran along the coast as far as Killongo.

Communicated with "Mullet;" ordered Commander Simpson to guard Black Point and adjacent coast as closely as possible, and keep good look-out for steamer.

Evening of 9th, anchored off Cabenda. Lieutenant Acklom returned with cutter, reporting having detained on December 6 when off Red Point, a small boat with five men, one a Portuguese, the rest Manilla men; the boat evidently belonged to some ship; searched crew without success.

On 11th the Portuguese coxswain of boat, one Jose Davida, told me that the boat belonged to the slave steamer "*Ciceron*," and made the following statement:—

1. That the "*Ciceron*" or "*Elvira*," commanded by Don Pedro Mas, a Spaniard, cleared from Cadiz on 26th October, for Matamoros, but proceeded direct to the Bight of Benin for slaves.

2. That she made the land near Aghwey on the 16th and 18th, but on both occasions was chased off the land by the cruizers and by a large ship's launch (evidently by description "Rattlesnake's).

3. That the captain Don Pedro Mas then called all his officers and said, It is impossible to ship here; I am going to the "Congo," where there may be slaves.

4. That on 24th November "*Ciceron*" made Point Padrone, and sent boat into Moanda with letters for Señor Oliveira, "*Ciceron*" herself standing out to sea.

5. That the "*Ciceron*" has in a large quantity of blankets, shoes, and provisions for Matamoros, which she shipped at Cadiz in order to clear expenses should she not succeed in obtaining a cargo of slaves.

6. That her intermediate shaft had been damaged, and that her speed was now 10 knots at the maximum, and that her captain said if slaves were not to be procured at Moanda at once, he would be obliged to leave the coast on account of shortness of coal.

On receiving this information I caused the prisoners to be re-searched very carefully, when I found three letters, a copy of which with translation I inclose.

On 12th one of the prisoners declared that steamer was to return for boat on 13th off Red Point; I therefore (in hope of getting her near me should she come in) hoisted out my mizen mast, sent down all after yards, and made other alterations; got all picked coal ready, oil, tallow, wood, &c., and proceeded to anchor off Red Point, but no "*Ciceron*."

On 15th communicated with "Snipe" off Congo, and proceeded into Shark's Point.

Received information from Commander Battiscombe that he had seen "*Ciceron*" on the 24th November, and again on the 9th December; on both occasions "*Ciceron*" was steering in for Vista, but on seeing "Snipe" at anchor had proceeded out to sea without communicating with the shore.

On 17th, went over to Banana in "Snipe," and thence to Porto da Lenha to gain information and to satisfy myself that the inclosed letter No. 1 from Señor Oliveira was not a ruse.

Found out positively that there were no slaves ready near Congo, or money to purchase them, but that if money arrived any number could be got ready in eight days.

On 19th, returned down river intending to proceed to Mangue Grande to guard that station; found Her Majesty's ship "Archer" at anchor in Turtle Cove; went on board to report proceedings.

I found at Porto da Lenha only four Portuguese houses open; they appeared to be in a very wretched condition.

I believe there are no slaves ready for shipment about Congo, and no money to purchase. No orders whatever have been received by the agents since Señor Notto's disaster in losing his two vessels in July last; most of the slaves that were to have shipped in those vessels have been destroyed by small-pox, and the rest turned adrift.

Any number of slaves, however, could be readily purchased, and a large cargo got together in a week if money and goods were forthcoming. I am inclined to think that if "*Ciceron*" leaves this coast without slaves (which is very probable), that she may put into Anno Bon for wood (vide letter 2), which states her want of it; and if her papers are at all passable, to St. Thomas for coal, and then try the Bights once more before returning to Matamoros.

I am, &c.
(Signed) J. L. PERRY.

No. 66.

Commodore Wilmot to the Secretary to the Admiralty.

"*Rattlesnake*," *at Sea, Lat.* 0° 17′ *N., Long.* 0° 19′ *W.,*
Sir, *January* 23, 1865.

I HAVE the honour to inclose a copy of a letter received from Captain Marten of the "Archer," covering one addressed to him by Her Majesty's Commissioner at

St. Paul de Loanda, relative to Commanding Officers of cruizers opening private letters which may be found on board vessels brought before the Mixed Commission Court for adjudication, and I have to request their Lordships will be pleased to signify to me their directions on this subject.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 66.

Captain Marten to Commodore Wilmot.

Sir, "*Archer*," *Turtle Cove, December* 20, 1864.

I HAVE the honour to inclose the copy of a despatch received from Her Majesty's Commissioner on the 16th December, as well as a copy of my answer to it.

I have to request that you will be good enough to give me instructions as to ordering the Commanders of cruizers to open private letters before filing them.

I have, &c.
(Signed) F. MARTEN.

Inclosure 2 in No. 66.

Her Majesty's Commissioner to Captain Marten.

Sir, *Loanda, December* 6, 1864.

I COMMUNICATED to his Excellency the Governor-General suspicions I have for some time entertained that slaves were shipped for St. Thomas, beyond Portuguese territory, and that false passports purporting to be issued by his Excellency, authorizing the conveyance of "libertos," were presented to the Commanders of Her Majesty's cruizers. His Excellency was kind enough to provide me with a number of printed passports similar to those issued by him, as well as his autograph, by which on comparison those presented in future may be verified. I shall feel obliged by your causing those that I inclose to be distributed amongst Her Majesty's ships.

To avoid a question, on which a difference of opinion is certain to arise between my Portuguese colleague and myself, as to the authority of the Mixed Commission to open private letters which may be found on board vessels brought before that Tribunal for adjudication, I have the honour to request that you will instruct the Commanders of the vessels under your orders in no case to omit to have them opened before they are filed, in accordance with the Admiralty Instructions to Naval Officers engaged in the Suppression of the Slave Trade, and which will be found, I believe, at page cxi, Form 4.

I have, &c.
(Signed) W. VREDENBURG.

Inclosure 3 in No. 66.

Captain Marten to Her Majesty's Commissioner.

Sir, "*Archer*," *Loanda, December* 16, 1864.

I HAVE the honour to acknowledge the receipt of your despatch dated 6th December, 1864. I will distribute the printed passports and autographs.

I have forwarded a copy of your despatch to the Commodore commanding, and have asked him for instructions touching the opening of private letters, and shall await his answer before acting on that part of your despatch.

I am, &c.
(Signed) F. MARTEN.

No. 67.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Bathurst, River Gambia, March* 31, 1865.

I HAVE the honour to inclose the copy of a letter I have received from Mr. Dawson, English merchant at Whydah (coloured man), respecting the wish of the King of Dahomey to send Ambassadors or Messengers to England on a friendly mission.

I am unable at present to give any information as to the object the King may have in coming to this conclusion. It may be that a Treaty is in contemplation. At all events, a Chief or Chiefs of high rank and influence in Dahomey would see in England quite enough to astonish them, and give the King on their return some idea of England's power and greatness.

The most beneficial results would, I am quite certain, be the consequence of

such a visit. I have therefore to request their Lordships will be pleased to give me instructions relative to the course I am to adopt if the King is really serious in this matter.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 67.

Mr. Dawson to Commodore Wilmot.

Sir, *Whydah, March* 5, 1865.

THE King of Dahomey having now come to the conclusion to send Ambassadors to the Queen of England, and having sent privately to ask my opinion as to the expediency of it, I beg to write this privately to ascertain from you, as a father, what your opinion is on a mission of that kind. He would ask me to come with them to act as interpreter, &c.; and therefore I am very anxious to know from you some hints which might be impressed on his mind, so that in giving his errand I may be able to point out some things to him without which a mission of the kind would be useless.

I should be very exceedingly thankful if you could let me have something by the next mail.

What you think to be good to send to the Queen as presents, and to any of the leading men in England?

Who is the right person through whom the Ambassadors must see Her Majesty?

Can't the kind Government which has spent thousands of pounds for the good of Africa allow you to be the guide of the Dahomian Ambassadors in everything connected with this mission?

Without one like you I do not see how it could be carried on.

Begging, therefore, that you would kindly aid in this affair, and that the Father of Light would bless all your undertakings, I am, &c.

(Signed) JOS. DAWSON.

No. 68.

Commander Battiscombe to Captain Marten.

Sir, *"Snipe," Turtle Cove, January* 4, 1865.

I HAVE the honour to inform you that on Christmas-day, at 8 A.M., the British schooner "Sverige," James Black, master (owners, Messrs. Hatton and Cookson, of Liverpool), was attacked whilst at anchor off Chimmo Bigon, in the Congo, by the Mousorongues. The crew of the schooner at once took refuge aloft, though not until the natives had wounded four or five. Everything portable, such as cloth, furniture, spirits, &c., was taken out of the ship. Watching their opportunity, the crew managed to slip the cable, and drift down the river, eventually anchoring off Banana.

2. Mr. McCullock, the head agent of Messrs. Hatton and Cookson, and one of the crew were taken away by the natives, the former being severely wounded. Her Majesty's ship under my command anchored the same evening close to the schooner, and an officer and eight men were sent to take charge of her.

3. Having consulted with Mr. Viderian, the head agent of the Dutch factory at Banana, as to the best means of recovering Mr. McCullock, the conclusion we arrived at was, that violent measures were out of the question, and that the native policy should be pursued. Accordingly a messenger was sent to King Antonio, requesting him to use his influence with the Mousorongues.

4. On the 29th December we received a letter from Mr. McCullock, stating that he had been released the day before, and was stopping with a Signor André Franque; the seaman was still in the hands of the natives.

5. This same tribe, a year ago, took a French cutter, and burnt down a Portuguese factory, and I have received intelligence that they have just robbed the Portuguese factory at Chimmo. Mr. Viderian says that the river is not safe whilst the Chiefs Nano, Bingo, Tubo, and Enobaca, are at large; we are therefore taking steps for getting them into our hands.

6. The master of the "Sverige" having represented to me that his men had no clothing, I supplied him with enough serge to make one suit of clothes per man.

7. On the 28th supplied the "Sverige" with a few spare arms, and sent her to Ponta da Lenha, under the guard of Mr. Hardy, supernumerary boatswain, and eight men, giving him orders not to be away more than twelve days. I have since heard that the natives came out again to attack the "Sverige," on her way up, but retired on seeing that the people on board of her were armed.

8. One of the crew of the schooner is so severely wounded that I have been obliged to keep him on board. It is doubtful whether he will recover.

9. I have to bring before your notice the fact that the "Sverige" has been sent

out to the coast, and to trade up the Congo, without being supplied with a single defensive weapon of any kind whatsoever, not even a pike; it is true the captain of her had a revolver, but he had no caps.

10. I wish to mention the conduct of Mr. Viderian, and those connected with the Dutch factory. They sent boats, and took charge of the schooner, when she was adrift, and since then they have spared neither men nor boats in rendering me assistance, even sending a launch to Loango, to take a letter from me to the Senior Officer.

I have, &c.
(Signed) A. BATTISCOMBE.

No. 69.

Commander Perry to Commodore Wilmot.

(Extract.) "*Griffon*," *February* 8, 1865.

ON afternoon of 11th ultimo, I received information from Mr. C. Bigley, Second Master, who had been cruizing in cutter of this ship off Mecula, in Bahia Funta, that he had been most wantonly fired into by natives at Mecula.

I at once applied to Captain Marten, requesting him to lend me his pinnace and cutter to assist in punishing the perpetrators of the outrage.

12*th*.—Weighed under steam for Mecula, with "Archer's" pinnace and cutter in tow, in charge of Lieutenant Ommanney of that ship. 1 P.M., anchored in 2½ fathoms, off Mecula. Shoved off from the ship with all boats manned and armed; found surf very heavy on beach, so anchored pinnace and cutter just outside and landed in whale-boats, with Lieutenants Acklom and Ommanney and twelve men. Marched up to village; found it impossible to treat with Chiefs, who would give no satisfaction, and said that they had no guns, &c. All this time men arrived in large numbers, and began to move towards us. I ordered the nearest huts to be searched, when loaded muskets were found hidden under some straw. Seeing the natives were still coming down in large numbers, I proceeded to destroy the village with fire, the ship occasionally throwing a shell to keep natives in check. Then having burnt a large barracoon, a surf boat, and numbers of large canoes, which I believe were collected for the purpose of shipping slaves, as there is no legal trade in the neighbourhood, at 4 P.M., everything being destroyed, I returned on board the "Griffon" with all boats; weighed and proceeded to rejoin "Archer" in offing.

13*th*.—1 A.M. "Archer" left under steam for Loanda. Sent in her Portuguese mate of "*Ciceron*," to be delivered up to the Portuguese Government.

I cannot at present find out the reason why my cutter was fired into, unless it be that the native Chiefs here are enraged at finding coast so closely watched.

13*th to* 20*th*.—Cruizing along line of coast as requisite.

20*th*.—Her Majesty's ship "Mullet" joined. Ordered her to anchor off Cabeça da Cobra, so as to guard Mangue Grande on one hand, and Mangue Pequena on other.

24*th*.—Anchored off Ambrizette, to gain further information as to the state of preparation of slave-dealers. That shipments will shortly be attempted I am confident, Mr. James Steward having now over 800 slaves in readiness near Mangue Grande. This Mr. Steward is a Scotchman by birth, though he gives out he is American by adoption, but I believe he has no American papers of protection. He now resides at Mangue Grande as head agent of the slaving firm of Don Luis Seivas and Co., of Havana.

Signor Notto has again arrived on the coast and has gone to Congo.

February 7*th*.—Her Majesty's ship "Dart" joined me from Congo. Commander Richards reports that the natives of that river are now quiet. No doubt they are dreading punishment for their late outrage on the British flag, of which Captain Marten told me he had given you full information.

I have just found out that James Steward has left Mangue for Ambriz, intending to leave the coast.

All the slaving factories here and in the Congo are now in a very wretched state, and are constantly threatened by the natives, who are almost starving, there not having been any corn sown in consequence of the late terrible outbreak of small-pox.

There is no further information in any letters of proceedings, no suspicious vessels having been seen. I am confident that the only successful shipment on this part of the coast, viz., Congo to Ambriz, during the last two years is that of the brig from Moanda in January 1864.

I forgot to mention that I am taking the four Manilla men, captured in "*Ciceron's*" boat, over to Ascension, so that they may go with my Kroomen to Sierra Leone, to be delivered to the Spanish Government, according to Station Order.

Inclosure in No. 69.

Mr. Bigley to Commander Perry.

Sir, "*Griffon*," *January* 11, 1865.

I HAVE the honour to inform you that while, in pursuance of your orders, I was cruizing in the cutter of Her Majesty's ship under your command in Bahia Funta, the natives of Mecula and its neighbourhood fired on me, on the 7th January. The details are as follows:—

I anchored about 5 P.M. at Mecula on that day outside the surf, for the purpose of buying stock for the boat's crew, and gaining information about the Slave Trade if possible.

Soon after I anchored the natives came in numbers to the beach; but instead of trading and receiving my friendly overtures, they assumed a hostile front, as I steadily refused to go on shore in my own boat. I asked them in English (two of the natives on the beach speaking that tongue perfectly) to send off some stock in one of their canoes, at the same time holding up, as a token of good faith, some biscuits and an empty bottle for barter.

It was plain that there was some undercurrent in the whole affair, as several canoes attempted to get off, but were always called back by some person on shore, who seemed to have great authority. When the individual hailed the canoes, the men in them at once returned to the shore with their canoes. Seeing any chance of communication was hopeless, especially so near sunset, I weighed anchor (5·45) and pulled seaward, when the natives opened fire on the boat so close that one shot passed between the coxswain and myself, and another dropped within a foot or two of the boat.

The exact number of shots fired I cannot say, but I counted at least twenty before I was able to return their fire. The instant I did so the natives retired into shelter behind some bushes, under cover of which they kept up a constant fire till we were out of range, some men occasionally kneeling and taking deliberate aim.

I had the English white ensign flying all the time from a staff, and I can positively assert that no provocation was offered by myself or any of my boat's crew.

I have, &c.

(Signed) CHARLES J. BIGLEY, *Second Master.*

No. 70.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.) "*Rattlesnake*," *off Sierra Leone, April* 12, 1865.

NOTHING of importance has transpired since my stay here. The "Zebra" has made a successful visit to the Mellacooree River and obtained payment of an old debt. Commander Lindsay will visit the Cape de Verdes at the end of this month, and inquire into all matters connected with the Slave Trade.

I leave this afternoon for the Bonny, where my presence may be useful in restoring confidence between the King and the traders.

The French Admiral Laffon de Ladebat arrived here in the "Armorique" on the 11th April, and left again on the evening of the 13th.

The most cordial good-will and the most perfect understanding exist between us in all matters connected with our respective Governments and squadrons.

No. 71.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake, Sierra Leone, April* 20, 1865.

I HAVE the honour to forward, for the information of their Lordships, a letter from Lieutenant Sandys, commanding the "Investigator," in which he gives an account of a successful attack made by a combined naval and military force on the Egba camp before Ikorodu, on the 29th March last.

2. Great praise is due to Lieutenant Sandys, his officers, and men for their excellent conduct, and the gallantry they displayed during the fight.

3. The military report states as follows:—"For the success of the attack I am in a very great measure indebted to Lieutenant Sandys and the officers and men composing the Naval Brigade. Lieutenant Sandys co-operated with and assisted me in everything in his power, both by his advice and by his personal aid,

which was peculiarly valuable in consequence of the great paucity of officers with the military force. Lieutenant Jones, of Her Majesty's ship 'Handy,' by his admirable management of the rocket battery conduced most materially towards our success."

4. Lieutenant Sandys speaks highly of the very efficient services of Acting Lieutenant Jones, and also of the gallant conduct of Mr. Nathaniel Child, Master's Assistant, who advanced with the skirmishers, and was one of the first to enter the gate of the camp.

5. I beg to bring the conduct of Lieutenant Sandys and these two officers before the notice of their Lordships.

6. Lieutenant Sandys has been in command of the "Investigator" for some time, and was up the River Niger in the last expedition.

7. Joseph Marshall, Chief Boatswain's mate, is also spoken of in high terms by Lieutenant Sandys. He is a most excellent steady petty officer, and deserving of every reward.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 71.

Lieutenant Sandys to Commodore Wilmot.

Sir, "*Investigator*," *Lagos*, *April* 1, 1865.

I HAVE the honour to inform you that on the 27th of March the Lieutenant-Governor of Lagos having, with the advice of his Council, determined to reassume the Protectorate of Ikorodu, which place was besieged and hard pressed by the Egbas, I was requested by his Excellency to co-operate with the troops under the command of Lieutenant Sealy, 4th West Indian Regiment, in relieving it.

I having attended the Council, fully concurred in the necessity of the step that was being taken, and accordingly placed the naval force under my command at the disposal of the Governor.

On the 28th March I received on board ninety of the 4th West India Regiment, Lieutenant Sealy commanding, together with the requisite ammunition, &c., and conveyed them to Ikorodu market, where they were immediately landed, and marched up to the town, which is inland about a mile and a-half. I myself landed with all my available force, namely, 6 officers, 11 of our white crew, and 17 Kroomen; Lieutenant J. W. Joues in command of the "Rocket" party. Mr. Applin, Second Master, remained in command of the "Investigator," anchored close in shore to cover the road and market.

On arrival at Ikorodu comfortable quarters were provided for the men, and the Chiefs of Ikorodu being called together were informed of our intentions towards the Egbas, and requested to prepare their forces. Ensign Barrow, of the 5th West India Regiment, arrived shortly after this, raising the number of West Indian troops to 2 officers and 135 men.

The armed Haussa Police, numbering 120, occupied Ikorodu market.

A messenger was despatched on the following morning to the Egba camp giving them twenty-four hours to quit the camp and return home. They sent back an insolent threat, and fired two guns at him on his return. Our force was accordingly prepared for immediate action, and the Chiefs of Ikorodu were requested to meet us outside the walls with all their fighting men.

The disposition of our force, which numbered in all 273, was as follows, namely —

The rockets under Acting Lieutenant J. W. Jones were placed at 1,500 yards from the advanced camp, commanding both it and the inner camp, the main body of troops being on their right under Lieutenant Sealy commanding.

Ensign Barrow with 90 men advanced in skirmishing order, and the Ikorodus, numbering about 700 men held the flanks.

At 9·30 A.M. fire was opened from the two 12-pounder rocket tubes with great effect, the skirmishers advancing very steadily. On their nearing the camp the enemy sallied out from the walls in great numbers, being led by a man on horseback; and Lieutenant Sealy fearing lest they should be overwhelmed, advanced the main body at the quick to support them, but the skirmishers still advancing, and the enemy showing signs of confusion owing to the constant fire of rockets kept up on them, the order was given to charge, and the wall of the outer camp carried. I accompanied the advance of the main body. The enemy never rallied again, but were driven through both camps in the greatest confusion, throwing away their arms and ammunition in their hasty flight. On both camps being in our possession our troops were recalled and marched back to their quarters, the Ikorodus closely pursuing the Egbas.

But few dead bodies were found in the camp, it being customary for the Egbas always to hide them; but from information received from the prisoners, many of whom were wounded, the slaughter among them was very great, the rockets doing terrible execution. At the first stream crossed in their flight no less than 203 dead were found.

I am happy to say the force under my command suffered no loss; the troops, however, had twelve wounded, but only one severely.

I beg to inclose a list of the officers and men who were in the field, and all of whom behaved in the most praiseworthy manner, but I cannot conclude without bringing under your especial notice the very efficient services of Acting Lieutenant J. W. Jones, commanding the rocket battery, to whose quickness and precision of fire I think the success of the day must be mainly attributed. Also the gallant conduct of Mr. N. Child, master's assistant, who advanced with the skirmishers, and when the charge was made was one of the first to enter the gate of the camp.

Joseph Marshall, chief boatswain's mate, showed great steadiness and efficiency in working the rocket tube in his charge.

On the following day, in company with Lieutenant Sealy, I measured the advanced camp, and found the wall and ditch to be 1,000 yards in length, and the camp 380 in depth.

The wall was loopholed for musketry and carried back at each flank to prevent an attack from those directions.

The inner camp was very large, and had at one time contained 20,000 men, with their wives and slaves. The houses were well built of mud. This camp was strewn with food, arms, and articles of every sort, left by the Egbas in their flight.

The number of the enemy opposed to us was estimated at about 7,000.

Trusting my proceedings in this emergency will meet with your approval, I have, &c.

(Signed) H. STAIR SANDYS.

Inclosure 2 in No. 71.

Lieutenant Sandys to Commodore Wilmot.

(Extract.) "*Investigator*," *Lagos, April* , 1865.

I HAVE the honour to lay before you a full report of my proceedings since I last addressed you on the 14th March.

Her Majesty's ship "Pandora" arrived from to windward on the morning of the 13th March, and I communicated with her, receiving back Mr. Child, Master's Assistant, who had been lent to her some months since.

On the arrival of the homeward mail on the 14th I crossed the bar, taking out Mr. Henry Eales, Surgeon (for service in gun-boats in Lagoons), who was invalided the previous day.

On the 16th, at the request of the Lieutenant-Governor, I proceeded to Itoiki Creek, to await the return of Mr. Maxwell, Assistant-Paymaster, who had with my permission proceeded with a special message from the Governor to the Kings of Ijebu, Remo, and Ibadan. On the 22nd I returned to Lagos, the Egbas having threatened to destroy the farms immediately opposite Lagos, and being only restrained by one of their head Baloguns or War Chiefs.

On the following day the Governor proceeded in the Colonial steamer "Eyo Honesty" to Ikorodu, the people of which place implored his assistance against the Egbas, who besieged them with a large force.

I again proceeded to Itoiki Creek on the 24th, and the next night Mr. Maxwell returned from Ibadan, bringing with him Mrs. Hinderer, the wife of a Missionary at that place; Mr. Hinderer and his wife have been cut off from all communication from Lagos for five years. On the following morning I returned to Lagos.

On the night of the 27th, most urgent requests for help having been received from Ikorodu, the Governor called a Special Council, of which he requested me to be a member, and it was then decided to re-assume the Protectorate of Ikorodu, and prevent its falling into the hands of the Egbas, as, should this take place, the whole of the surrounding country would be involved in war and the trade at Lagos destroyed.

His Excellency called upon me to inform him what assistance I could render him, and I replied, "All that laid in my power," the officer commanding the troops giving the same answer.

It was further decided that on the morrow the troops should be conveyed to Ikorodu, and the Egbas allowed twenty-four hours to raise the siege and return home.

On the forenoon of the 28th I embarked all the available troops together with baggage and ammunition, and proceeded to Ikorodu, where Her Majesty's ship "Handy," tender, was already anchored. The town is situated about one mile and a half inland, and at the nearest point the troops were disembarked, and marched up to the town.

I, myself, landed with all our available force, consisting of six officers, ten of our white crew, and seventeen kroomen, taking charge of the rocket tubes.

The following morning a message was sent to the Egbas, giving them twenty-four hours to abandon the siege and return home; to this message they returned an answer, saying that they did not care for the Governor, and would eat up any army he sent against them; they also fired two guns at the messenger as he returned.

The Commanding Officer of the troops then arranged with the Baloguns of Ikorodu to meet them with their people, prepared to attack in one hour outside the walls.

At 9·30 A.M., fire was opened from the two 12-pounder rocket tubes with great effect, the range being 1,500 yards.

At 11·30 A.M. the Egba camp was stormed, and the Egbas (who numbered about 7,000) were in full flight, throwing away their arms, ammunition, &c., and closely pursued by the Ikorodus; our whole force was 273, and for particulars of the action I beg to refer you to my despatch of the 1st April, 1865.

On the 30th March, Ikorodu being safe, the troops were embarked and conveyed back to Lagos.

In compliance with a requisition from his Excellency the Governor, I left Lagos on the 1st April for Porto Novo, returning to this place on the 6th instant.

No. 72.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Sierra Leone, April* 20, 1865.

THEIR Lordships will receive with much satisfaction the accompanying reports of Commander Ruxton of the "Pandora," with respect to his proceedings in the River Bonny and Cameroons.

2. I was quite certain that this officer would carry out my instructions to him with zeal, judgment, and ability, and I strongly recommend him to the favourable notice of their Lordships for his conduct and excellent management on this occasion.

3. The trade of the River Bonny far exceeds that of all the other rivers put together, and hence the material importance of its being again re-opened and friendly feelings established.

4. I feel quite certain that the adjustment of these difficulties so happily accomplished by Commander Ruxton, an officer of twenty-two years' standing, will smooth the way for increased trade, and prevent for the future any more of those difficulties between King and traders which have existed for so long a period.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 72.

Commander Ruxton to Commodore Wilmot.

Sir, *"Pandora," at Sea, off the Cameroons, March* 28, 1865.

IT is with inexpressible satisfaction that I am able to inform you of the complete adjustment of the serious difficulties which had arisen in the Bonny River between Her Majesty's Government and the King and Chiefs of that river, and between the British merchants and the people of that town.

The Commodore commanding was kind enough to state that "he trusted to my knowledge of the African character, and my judgment and ability for this particular service."

I am at all times happy to carry with me the good opinion of my superiors, but on this occasion I am afraid have scarcely deserved it; patience being the only quality I displayed.

Her Majesty's ship "Pandora" made the Bonny Bar at noon on the 17th of March, having learnt at Lagos that trade was stopped, and the merchant-vessels strictly cut off from all communication with the people of the country, not even fishing canoes allowed alongside them, and the English in their turn blockaded on board their ships.

In order to avoid detention and the chances, if not certainty, of being refused a pilot by the King, I attempted and in safety crossed the Bar, and anchored off the town of Bonny.

Three of the supercargoes immediately called on me and informed me that the King was four miles down the river at Juju Town. I at once dispatched an officer to him with Inclosures Nos. 3 and 4. His answer (No. 5) was inadmissible. I merely sent my boat down for him next morning with Inclosure No. 6, and, as I expected, His Majesty came up the river to me.

From 10 till 4 I read and quietly explained the documents to him (a short résumé of the conversation will appear in Inclosure No. 12 in my explanation to the Chiefs at the grand palaver.) But finding that I was met with nothing but shuffling and evasion, I made a signal for the supercargoes of the vessels, and they all agreeing with me on the subject, that is, considering that Pepple's proposed method of paying the fine, viz., hypothecating the "comey" or Customs of the ships of two firms, was not the method desired by Her Majesty's Government to be adopted, and feeling certain that the King had not made the Chiefs accurately acquainted with the question, I ordered a grand palaver for Monday, 20th, as you will see by Inclosures Nos. 9, 10, and 11, though I well knew that Consul Burton had not been able to get the King to attend on board Her Majesty's ship "Jaseur," and had seized him and brought him on board that ship, and that only nine weeks ago the King and three or four Chiefs were only got on board by Her Majesty's ship "Lee" running up the creek opposite the town with her people at quarters; yet I did not despair, and at 10 o'clock the great canoes with twenty paddles of a side were in motion, and soon at least ten of the principal Chiefs were on board.

On the arrival of the King, the authority from Foreign Office and the Commander-in-chief, under which I was acting, being read, I made the inclosed statement, of which No. 12 is a short résumé.

At the expiration of the quarter of an hour allowed, the Chiefs promised full satisfaction, and begged pardon, the King Pepple holding back to the last moment.

I inclose a copy of their apology and promise to pay (Inclosures Nos. 13 and 14).

A fortunate circumstance which I was lucky enough to turn to account had a share in deciding this long-pending matter. A large ship was seen coming round the point about six miles distant; I instantly dispatched a cutter to order her to anchor and approach no nearer the town. Showing and carrying out in their own presence what a blockade was, had the very best effects.

Much as I was loth to remain in an unhealthy place like the Bonny, yet I determined to take the responsibility; for it appeared so necessary to keep up the position I had taken and to stop all trade (Inclosure No. 15) and communication with the shore till the last puncheon of oil was paid, that I made up my mind to remain till my instructions were thoroughly carried out, and trade re-opened and harmony established. The earnest solicitation of the merchants made me more willing to carry out my own views.

I have no hesitation in saying that this heavy fine, paid with such exertion and rapidity by every head of a family in Bonny, after their repeated declarations that they would not pay, will cause our traders to be respected and give certainty and security to our commerce, and be talked of in every native village from Lagos to the Cameroons. I hope this lasting lesson to the natives may not make our merchants overbearing in their turn.

The King Pepple threw every obstacle in his power in my way, and quibbled over every word.

On the contrary, the Chiefs, who entirely paid the fine, and are the principal losers, whilst doing their best to make good terms for themselves, spoke fairly and calmly, and much to the point. I should not complete my duty here if I did not say that I consider the fine as levied in the first place as too large, and I would humbly beg of you to submit to Her Majesty's Government the advisability of reducing one half all the fines as laid down by the Treaty.

The King and Chiefs on the one side, and the Court of Equity on the other, would have less difficulty in levying a fine of 100*l.* than 200*l.*, and also less difficulty in adjudging it if against their own side.

I was prepared at any moment, should there have been any symptoms of slackness in paying the oil, to run the ship up the creek merely to remind the people that I was still in earnest.

Such a measure was not required, and I am happy to say that on no occasion from first to last have I even made use of any show of force.

As the fruits of my successful endeavours, I have the honour to forward for your perusal and satisfaction, and I hope that of Her Majesty's Government, the letter of apology (Inclosure No. 13), my letter remitting one-half the fine (Inclosure No. 16), and copy of receipt to the Chiefs for the fine (No. 17), and bills for 1,050*l.* 5*s.*

Not having any instructions on the subject I was somewhat at a loss how to proceed with respect to the oil paid.

Being without the necessary facilities, boilers, coopers, casks, staves, and taking into consideration the freight

per ton to England, commission, brokerage, wharf dues, and also the detention it would cause to my proceeding on other service till arrangements could be completed, I publicly advertised a sale by auction, and desired Mr. Wood, Assistant-Paymaster in charge, to sell the whole in ten lots to the highest bidders for the benefit of the Crown.

I have transmitted the first of the bills of exchange to Messrs. Hallett and Ommanney, bankers, 14, Great George-street, Westminster, where the money lies at the disposal of Her Majesty's Government.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 2 in No. 72.

Commander Ruxton to the British Merchants in the Bonny River.

Gentlemen, "*Pandora*," *Bonny, March* 17, 1865.

I HAVE been selected by the Commodore Commanding-in-chief on the West Coast of Africa to proceed to the River Bonny to arrange the disputes between the traders in that river and the Native Chiefs.

2. The rapidity with which I was dispatched is a sufficient proof to you of the anxious desire of the Home Government and of the Commodore that these differences should be arranged, and trade once more resumed, on principles of fairness and equity between both parties.

3. It is my intention to summon the King and Chiefs to a conference as soon as I have inquired fully into the matter, and I rely on you, gentlemen, to give me your utmost assistance in bringing the matter to a conclusion, for the interests of your owners, for your own credit, and for the honour of the country to which we belong.

I remain, &c.
(Signed) W. F. RUXTON.

Inclosure 3 in No. 72.

Commander Ruxton to the King and Chiefs of the Bonny.

I, WILLIAM FITZHERBERT RUXTON, Royal Navy, Commander of Her Majesty's ship "Pandora," have been selected by Commodore Arthur Parry Eardley Wilmot to proceed to your river and put an end to the disputes between you and the British traders.

Your letters forwarded by Lieutenant Lang reached the Commodore commanding on the 17th of February; I was instantly dispatched to arrange the payment of the fine levied by Captain Burton, and to see justice done to you as well as by you.

I am instructed to say that England will not allow a Treaty to be broken in the smallest particulars; and should the Chiefs still persist in their obstinacy, they must beware of her power.

When I have inquired fully into the matter, I shall request you to come on board this ship for a conference, at which the payment of the fine must be arranged.

The question of "comey" or Customs may then be discussed; and you may depend upon it that full justice and fair payment shall be made to you consistently with the Treaty of 3rd October, 1850.

(Signed) W. F. RUXTON.

Inclosure 4 in No. 72.

Commander Ruxton to Pepple, King of the Bonny.

(Private.)
Sir, "*Pandora*," *Bonny River, Friday, March* 17, 1865.

I AM sent to finish this palaver; it must be done at once. You see that neither the Commodore nor the Foreign Office have answered your letters.

They are getting tired of you and your childish nonsense; but you shall be listened to, and I will do my best to help you.

I should like to see yourself and two or three Chiefs quietly to-morrow, about 9 A.M., to talk over the matter; and after I have heard what you have to say, I will call a big palaver for Monday or Tuesday, and will give you my decision. You have sense enough to see that, if once we begin, you will not lose a few casks of oil, but everything you have. For sometimes English Chiefs get angry as well as Bonny Chiefs, and English Chiefs are strongest, as you very well know.

Your true friend,
(Signed) W. F. RUXTON.

P.S.—I will send my own boat for you to-morrow at 9. I hope to see you, and will treat you properly.
W. F. R.

Inclosure 5 in No. 72.

Pepple, King of the Bonny, to Commander Ruxton.

Sir, *Juju Town, Friday, March* 17, 1865.

I AM in receipt of your two letters of this evening, and am willing to come according to request; only Consul Burton when he came here last seized me and would not let me go for a long time, which makes me afraid: but if you will send one of your officers to stop on shore until my return, I will come.

Your true friend,
(Signed) PEPPLE.

Inclosure 6 in No. 72.

Commander Ruxton to Pepple, King of the Bonny.

Sir, "*Pandora*," *Saturday, March* 18, 1865.

YOU know that if I pass my word that you are safe here as in your own house, you shall go just when you please; to leave any one in your place would be to admit that I cannot be believed, and officers in the Queen's navy do not break their word.

I have nothing to do with Consul Burton, but am acting under orders from England given me through the Commodore.

Yours, &c.
(Signed) W. F. RUXTON.

Inclosure 7 in No. 72.

Pepple, King of the Bonny, to Commodore Wilmot.

Sir, *Bonny Town, March* 18, 1865.

THE inclosed is extract from Foreign Office, viz., Earl Russell, Secretary of State for Foreign Affairs, dated 22nd February, 1864, delivered to me on the 11th January, 1865, by Lieutenant Commander O. T. Lang, of Her Majesty's sloop of war "Lee," does not give any orders or instructions to enforce on me any fine or payment, nor do I see by what authority the said fine is inflicted.

The above named extract merely refers and intimates that I am to withdraw or desist from my demands for advance, which I should not have demanded had not the supercargoes given their consent and signatures in a memorandum of agreement made by themselves with Bonny Chiefs, dated October 12, 1863, copy of which I also inclose with copy of my letter to Consul Burton, dated April 20, 1864.

To conclude, I can find no reason for paying any fine, therefore cannot pay. I have no doubt you will see that yourself.

I have, &c.
(Signed) PEPPLE.

Inclosure 8 in No. 72.

Mr. Hammond to the Secretary to the Admiralty.

(Extract.) *Foreign Office, February* 22, 1864.

I AM to request that you will move their Lordships to cause copies of these papers to be communicated to the officer in command of Her Majesty's naval forces on the African station, with instructions to send a cruizer to the River Bonny to intimate to King Pepple that he must at once desist from the demands which form the subject of complaint on the part of the African Association, and the officer entrusted with this mission should also be directed to protect British traders in refusing to comply with the unjust demands made upon them by the King.

Inclosure 9 in No. 72.

Commander Ruxton to Pepple, King of the Bonny.

Sir, "*Pandora*," *Bonny River, March* 18, 1865.

I BEG you will attend a meeting of the Chiefs of Bonny and the British merchants on board this ship at 9·30 A.M. to settle the manner in which the fine levied by Consul Burton, in accordance with the Treaty of 1850, and since approved of by Earl Russell, should be paid.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 10 in No. 72.

Commander Ruxton to the Chiefs of Bonny.

Gentlemen, "*Pandora*," *Bonny River, March* 19, 1865.

I REQUEST that you will come on board this ship at 9·30 on Monday morning to meet King Pepple and the merchants trading in the Bonny River, to settle the payment of the fine imposed by Consul Burton, and approved of by Earl Russell, which I am sent here by the Commodore commanding to collect.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 11 in No. 72.

Commander Ruxton to the Chiefs of the Bonny.

Gentlemen, "*Pandora*," *Bonny River, March* 19, 1865.

WITH reference to my letter of yesterday desiring you to come on board, I hear that you are afraid you will be detained.

We never get people on board as friends and keep them against their will.
When you please to leave this ship to-morrow you may go; I pass my word.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 12 in No. 72.

Résumé of the Statement made at a Meeting of the King, British Merchants, and Chiefs of Bonny, by Commander Ruxton, on behalf of Her Majesty's Government, to the said King and Chiefs.

THIS is a Queen's palaver, not Captain or Consul. I am acting under these direct orders from England and the Commodore.

You see by what I have read that Earl Russell approves of the whole fine, viz., 240 puncheons, as levied by Consul Burton, and the Commodore has sent me here to enforce it. If necessary more ships are ready.

I found out here that Inclosure No. 4 had never been forwarded to the Chiefs, and I have every reason to believe that he (the King) has played us false all through the affair.

I sent for and spoke to the King quietly on Saturday. I carefully explained the twelve infractions of the Treaty which I now read to you, and which I do not believe he ever explained to you.

After a time he said that he was wrong, especially about stopping the trade for advance of comey (it was simply a loan that the traders had a right to refuse or not). Then he begged me to come to some arrangement with him.

I told him that if he would write a letter acknowledging the fine, and promise to pay it, admitting he was wrong, and promise better behaviour for the future, I would take his letter into consideration, and if one-half (120 puncheons) was paid, I would remit the other half. I told him I would take his word and that of the principal trading Chiefs, for the amount to be paid in a reasonable time.

He told me he would not apply to the Chiefs; that he would pay the amount by pledging the comey of the ships of Messrs. Tyson, Richmond, and Co., and Messrs. Harrison and Co.

I told him that would not do, it would not pay the fine in four years, and that the Government would not acknowledge any such nonsense. He then begged me to send for these gentlemen; when they came they all and each agreed with me, for I could make no compromise of the sort, as it would be exceeding my instructions.

Now if the King has told you that he or you will get off this fine through his friends at home, it is just false. Once the Imperial Government has said it, it stands.

Now listen all. On Saturday this might have been settled. You wanted a grand palaver, and now you have got one. If the King and Chiefs will write a humble apology to the Government, promising good behaviour, and admitting the fine of 240 puncheons, and begin to pay it, I will promise, in virtue of the authority given to me, to forgive one half. If not, trade will continue stopped; no vessels of any nations allowed to trade, and I shall consider myself at liberty to take any measures I think proper from the moment you land, and you must remember that the whole fine, 240 puncheons, will be required to the last cask if this palaver is broken up without its being settled.

From this day no comey paid to the King for any ship by our traders is legal, and I warn all traders that they may be called on by Her Majesty's Government to refund it to the Government, or to such person as they may hereafter appoint to receive it as King, Head Chief, or Regent of Bonny. I give you a quarter of an hour to decide whether you accept my proposition or not. In that time I shall be ready for you.

Dated on board Her Majesty's ship "Pandora," River Bonny, the 20th March, 1865.

(Signed) W. F. RUXTON, *Commander R.N.*

Inclosure 13 in No. 72.

Letter of Apology.

"*Pandora*," *March* 19, 1865.

WE, the undersigned King and Chiefs of Bonny, having had the twelve infractions of the Treaty of October 1850, explained to us by Captain Ruxton, Her Majesty's ship "Paandora," promise to pay the amount levied, viz., 240 puncheons of saleable palm oil.

We humbly beg you to take our case into consideration, and, if possible, decrease the amount to be paid.

We hope that you will express our regret and sorrow to Her Majesty's Government for having occasioned so much trouble.

(Signed) PEPPLE, *King of Bonny*.
his
MANILLA ⋈ PEPPLE.
mark.
his
ANNIE ⋈ PEPPLE.
mark.
his
ADDA ⋈ ALLISON.
mark.
his
WOGO ⋈ DAPPA.
mark.
his
TILLIBO ⋈
mark.

Inclosure 14 in No. 72.

Agreement between Commander W. F. Ruxton, Her Majesty's ship "Pandora," and the King and Chiefs of Bonny.

WE, the King and Chiefs of Bonny, hereby promise to put on board such ships as we may be directed to, 120 puncheons of saleable palm oil, 38 ×42, and a fine of 20 puncheons for every twenty-four hours after noon on Monday the 27th of March, 1865.

Dated on board Her Majesty's ship "Pandora," Bonny River, the 20th day of March, 1865.

(Signed) PEPPLE, *King of Bonny.*
his
MANILLA ⋈ PEPPLE.
mark.
his
ANNIE ⋈ PEPPLE.
mark.
his
ADDA ⋈ ALLISON.
mark.
his
WOGO ⋈ DAPPA.
mark.
his
TILLIBO ⋈
mark.

The moment I sign the receipt, trade shall be opened.

(Signed) W. F. RUXTON, *Commander, H.M.S. "Pandora."*

Inclosure 15 in No. 72.

Commander Ruxton to the British Merchants, River Bonny.

Gentlemen, *"Pandora," River Bonny, March* 21, 1865.

IN pursuance of the agreement made yesterday, it is my direction that there is to be no trade or communication held with any of the natives until the whole fine be received.

I am, &c.
(Signed) W. F. RUXTON.

Inclosure 16 in No. 72.

Commander Ruxton to the Chiefs of the Bonny.

Gentlemen, *"Pandora," Bonny River, March* 21, 1865.

I HAVE taken into my most serious consideration your explanations and letters of apology, and by virtue of the authority vested in me I hereby forgive you the one-half, viz., 120 puncheons of the fine inflicted in March 1864.

I have not the slightest doubt that now I have your promise it will be all paid without any further difficulty, and trade shall be opened, and I hope that all ill-feeling may cease between the people of Bonny and the British traders in the river.

I am, &c.
(Signed) W. F. RUXTON.

Inclosure 17 in No. 72.

Receipt.

RECEIVED from the King and Chiefs of Bonny, 120 puncheons of palm oil in full payment of fine levied on them for breaches of Treaty, by Her Majesty's Government in March 1864.

Given under my hand, on board Her Majesty's ship "Pandora," River Bonny, this 27th March, 1865.

(Signed) W. F. RUXTON, *Commander.*

Inclosure 18 in No. 72.

Commander Ruxton to the King, Supercargoes, and Chiefs of the Bonny.

I HEREBY declare that the stoppage of trade in this river ordered by Lieutenant Lang of Her Majesty's ship "Lee" in consequence of the non-payment of the fine levied by Consul Burton in March 1864, for breaches of the Treaty of October 1850, is at an end, and trade may commence from this day.

Given under my hand, on Her Majesty's ship "Pandora," Bonny River, 27th March, 1865.

(Signed) W. F. RUXTON, *Commander.*

Inclosure 19 in No. 72.

Commander Ruxton to Commodore Wilmot.

Sir, *"Pandora," at Sea, off the Cameroons, March* 28, 1865.

I HAVE inquired into the alleged infractions of Treaty on the part of the merchants by the King, as stated in Inclosures Nos. 21, 25, and 26, and am of opinion,—

1. That he has no claim by Treaty for any fine or dues whatever as regards the barque "Celma." She is aground outside the strip of land ceded to British merchants certainly, but below low water mark spring tides. The rent he demanded for her, viz., 119*l.*, for the time she would last, is absurd.

2. The Treaty being carelessly drawn up specifies no standard value for bars, and I hope my plan of paying the "comey" in money at the old rate of 6*d.* a bar in the event of the King refusing the goods as per Treaty may be found to answer.

3. It appears to me out of the question that the supercargoes should be obliged to take bills of lading, registers, &c., down to Juju Town; it is four miles from Bonny up a creek difficult to approach, and would lead to needless exposure on the part of the merchants. If the King chooses to reside there he must appoint a receiver at Bonny Town.

4. The Court of Equity have agreed to pay half pilotage in the event of ships not taking a pilot, but state, I think fairly, that they will acknowledge no law to pay the extra dash, merely will make the present if well satisfied.

5. The Chiefs complain that equal justice is not always given to white and black by the Court of Equity.

I inclose a resolution of the Court promising that they will do so (Inclosure No. 31).

6. The Chiefs complain of the conduct of Mr. Massey, agent for Messrs. Horsfall. They say he treats them with contempt, but agree as to the perfect fairness of his dealings, and state they will not stop Messrs. Horsfall's trade, but won't trade with Mr. Massey.

I endeavoured, and I hope successfully, to heal the breach.

7. They accuse Mr. Froggat, agent for Messrs. Hatton and Cookson, of unfair dealings. The Court have promised to arrange this matter.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 20 in No. 72.

Pepple, King of the Bonny, to Commodore Wilmot.

Sir, *Bonny Town, March* 18, 1865.

I THINK it also desirable to bring under your observation the following complaints, &c. :—

1. Some of the supercargoes on my application to them for payment of comey, look upon it as some paltry, troublesome and disagreeable task, and sometimes will not pay comey until two or three weeks after the ship's arrival; and even when they do pay will not, as stated in the Treaty of October 3, 1850, pay it in bars but in puncheon goods.

2. Is another thing that the hulk "Celma," contrary to Article VIII of the said Treaty, has been grounded beyond the given limits, and must be either paid for or removed.

3. Mr. John Massey, agent for Messrs. Charles Horsfall and Sons, Liverpool, for opening trade and starting oil on the barque "Pride of Canada," without either coming, showing, or settling with me about her tonnage and comey, although I wrote him; also opening trade without my knowledge, and refusing to show tonnage and bills of lading of oil shipped on the "Sparkling Wave," until I applied to the Chairman of the Equity Court, viz., J. N. Todd, Esq., July 29, 1864, on the former case, and October 22, 1864, on the latter. Make four several infringements of Article IV of the Treaty of October 3, 1850, and ought to be treated as such by payment of twenty puncheons of saleable palm oil for each of such several infringements.

4. And, moreover, Mr. J. N. Todd for not coming to settle with me about comey of his ship "Manners Sutton," notwithstanding I wrote him a day after its arrival, January 3, 1865, thereby violates Article IV of the already named Treaty of October 3, 1850, and is liable to pay twenty puncheons of saleable palm oil.

The Commodore A. P. E. Wilmot, R.N., C.B., will see from the above the unjust and illegal dealings of the supercargoes, and I hope his enforcing payment of said fines to me will follow.

I have, &c.
(Signed) PEPPLE.

Inclosure 21 in No. 72.

Mr. Cotterell to Commander Ruxton.

Sir, *Hulk "Celma," March* 19, 1865.

IN answer to King Pepple's claim on Messrs. Tyson, Richmond, and Jones, respecting the hulk "Celma" not being beached within the limits specified in the Treaty of 1850, I beg to state the hulk "Celma" was in a sinking state, and with a valuable cargo could not possibly have been placed within the limits without risking the safety of the ship and cargo before mentioned. She is below low-water mark, and I cannot see on what grounds King Pepple's claim could be entertained.

I have, &c.
(Signed) H. COTTERELL,
Agent to Messrs. Tyson, Richmond and Jones, of Liverpool.

Inclosure 22 in No. 72.

Mr. Massey to Commander Ruxton.

Sir, *"Mississippi," River Bonny, March* 20, 1865.

I HAVE the honour to acknowledge receipt of copy of a letter from Pepple, King of the Bonny, to Commodore Wilmot, and forwarded to you for transmission, complaining of certain alleged violations of the Treaty of October 3, 1850, between the King and Chiefs of Bonny and Her Britannic Majesty's Government. I have requested the agent of Messrs. Tyson and Richmond to write a statement of the circumstances under which the "Celma" was beached (which letter I inclose); and I beg to draw your attention to the fact that the Bonny Court of Equity and the African Association regret that this claim should have been put forward, as there is no foundation or justice in Pepple's complaint.

With regard to clause No. 3 of Pepple's letter, it has been repeatedly decided, and copies of such decisions forwarded to Pepple by the Chairman for the time being, that ships' registers are the property of the ship alone, and cannot be taken to Ju-Ju Town (where the King has taken up his residence) on any pretence whatever, but that each agent should show to the King, or any party authorized by him, on his sending the register of any ship entitled to pay comey. I beg to inclose copy of a letter forwarded to the King by the Chairman of the Court, dated October 22, 1864.

With regard to clause 4 of Pepple's letter, I beg to give you the following extract from Article IV of said Treaty of October 3, 1850: "The comey to be tendered upon the ship's arrival, or as soon after as convenient." The ship "Manners Sutton" arrived January 3, and Her Majesty's steam-cruizer "Lee" arrived January 7, upon which followed a total stoppage of trade; so that I am at a loss to see on what grounds Pepple has cause of complaint.

I would also beg to call your attention to the fact that Pepple, by making such frivolous complaints, seeks to escape the punishment awarded to him by Her Britannic Majesty's Government for violated Treaties.

I am, &c.

(Signed) J. MASSEY, *Acting Chairman, Court of Equity.*

Inclosure 23 in No. 72.

Mr. Babington to Pepple, King of the Bonny.

Sir, *"Princess Royal," Bonny, October* 22, 1864.

AT a meeting of the Court of Equity held yesterday, Mr. Massey stated to the Court exactly what you have said in your letter.

The opinion of the Court was, that it is not right to take a ship's register on shore. It was also the unanimous opinion of all the members that if you were not satisfied with Mr. Massey's affirmation, that you should, either personally or by proxy, be fully informed by the Chairman of the Court. I being Chairman for the time being, shall be happy to prove to you, or to any person you may send, what the register tonnage of the "Sparkling Wave" is, and also what quantity of oil she has on board.

I am, &c.

(Signed) W. BABINGTON, *Chairman of the Court.*

Inclosure 24 in No. 72.

Pepple, King of the Bonny, to Commander Ruxton.

Sir, *Bonny, March* 22, 1865.

ONE clause in my letter you did not sufficiently explain to the supercargoes was, that the Treaty of 1850 says, that comey is to be paid in bars, and not in puncheon goods. I hope you will therefore please to give them stringent instructions to pay comey in bars, and they must be fully aware that any one who violates said Treaty in the least Article shall be made to pay me the usual fine of twenty puncheons of saleable palm oil, as the Treaty was made to bind them as well as us.

I beg you will also be kind enough to send me copy of Earl Russell's letter in which he disapproves of my conduct, and recommends the payment of the fine, &c. Earl Russell is not right in censuring or finding fault in my conduct, as had I not been a good ruler, my subjects would not have sent for my speedy restoration to the kingdom of Bonny.

To conclude, I beg that you will not forget your promise to have my two letters of the 18th instant laid before Earl Russell, Secretary of State for Foreign Affairs, as also this.

I have, &c.

(Signed) PEPPLE.

Inclosure 25 in No. 72.

Pepple, King of the Bonny, to Commander Ruxton.

Sir, *Bonny, March* 24, 1865.

I HUMBLY thank you for the two letters you forwarded me per my son to-day, and in reply to the remarks you made him about comey.

I wish it (the comey) to be paid in bars as stated in Treaty of 1850. I have nothing to do with what they (the supercargoes) paid for comey while I was away, I can only account for myself. I know that before my absence to England comey was tended me in bars, and since my return most of the comey I have had on advance beforehand, or else would have had all paid in bars; indeed it will be very unfair to have the Treaty altered in one Article and not in the other. However, the matter, I presume, will show itself more clearly to you on your perusal of the inclosed extract of letter from African Association, Liverpool, dated September 23, 1864.

Another complaint that I am desired to bring before your notice is by Omonie Brown, head pilot.

Consul Beecroft, when he came and put the buoys at the Bonny Bar, ordered, that any ship coming in without the pilot to pay half pilotage, and any ship coming in by aid of the pilot to pay whole pilotage, and the pilot men dash 10 pieces of cloth, 2 kids of bread, 2 pieces of beef, 2 gallons of rum, 1 packet of caps, and 2 blue shirts. Some of the captains do more injury by being in a hurry to get out to sea, and in such cases will take no heed to the advice of the pilot, and heave anchor, and get about ship without waiting for a good wind and tide. The barque "Laughing Water," for instance, was lost by the captain of that vessel in the same manner.

The above-named dashes the supercargoes have entirely abolished, and have reduced the pilotage.

I beg therefore you will look into these matters, as also have this laid before Earl Russell, Secretary of State for Foreign Affairs.

I have, &c.
(Signed) PEPPLE.

Inclosure 26 in No. 72.

Commander Ruxton to Commodore Wilmot.

Sir, "*Pandora*," *Bonny River, May* 24, 1865.

WITH reference to your letter dated Sierra Leone, February 14th, desiring me to inquire and arrange the comey to be paid for the future, I have the honour to inform you that the only complaint, and that not founded (though stated to be so) on the IVth Article of the Treaty, is the one made by Pepple in section No. 1, of Inclosure No. 21. I have most attentively considered and inquired into the matter, and am of opinion that it is not requisite to disturb existing arrangements—*quietas non movere;* but have suggested that in the event of the usual comey being refused on the plea of insufficiency by the King, the customs be tendered in legal money at the rate of 6*d.* a bar, five bars to a ton 2*s.* 6*d.*, by supercargo or captain, and that tender be considered final.

I inclose the correspondence with the Court of Equity and with the King on the subject.

I have endeavoured to put everything brought before me on a fair footing, and, as far as lay in my power, to act the part of peacemaker among a number of litigious spirits.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 27 in No. 72.

Commander Ruxton to Pepple, King of the Bonny.

Sir, "*Pandora*," *Bonny River, March* 27, 1865.

IN answer to your letter respecting comey, dated 22nd March, 1865, that as far as I am able to collect evidence,—

1st. That the comey is paid now in the same manner and sort of goods as it has been paid in for the last ten years. The Treaty states that it is to be five bars of a fair assortment of the cargo of the ship.

2nd. In the event of your not approving of the goods tendered, the supercargoes have agreed, at my suggestion, to pay in English money at the usual rate of 6*d.* a bar, or five bars 2*s.* 6*d.* per ton, and that money being in all countries legal tender must be conclusive.

You must remember that comey customs or duties are paid to Kings and rulers in return for protection and safety to the persons and goods of those paying. Now the cask-houses on shore are entered, and shakes, and even clothes, stolen constantly by people residing in Bonny, and it is very difficult to get these thieves punished, and partly from your absence from the town and other causes no justice is procurable. This must be remedied.

Your letters, in conformity with your wishes, I will transmit to the Commodore to be forwarded to the Foreign Office.

I have given the receipt for the fine 120 puncheons, and removed the prohibition placed on trade by Lieutenant Lang, Her Majesty's ship "Lee."

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 28 in No. 72.

Commander Ruxton to the British Merchants, River Bonny.

Gentlemen, "*Pandora*," *River Bonny, March* 22, 1865.

I AM deputed to inquire into any difficulties respecting the adjustment of the payment of comey to the King of Bonny.

May I request you to call a meeting of the agents in the river, and inform me if in their opinion any changes could be made with advantage? I may at the same time bring to your recollection that the Chiefs made no complaint on their side on the subject. The King, however, in his letter, of which the inclosed is a copy, states, "Traders do not, as is required by Treaty, pay comey in bars, but in puncheon goods." An explanation on this subject is required by Her Majesty's Government.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 29 in No. 72.

Commander Ruxton to the British Merchants, River Bonny.

Gentlemen, *"Pandora," Bonny River, March* 23, 1865.

WITH reference to a letter dated the 22nd March, from Pepple, relative to the question of comey in bars and puncheon goods, allow me to suggest that if, as by Article IV of Treaty, 5 bars, consisting of a fair assortment of the goods on board, are tendered by the supercargo and refused by the King, that the amount be tendered in money at the recognised rate of 6*d.* a bar, and if again refused, the supercargo shall consider he has fulfilled his side of the contract, and if his trade be stopped the King must be made responsible.

I have, &c.

(Signed) W. F. RUXTON.

Inclosure 30 in No. 72.

Agreement.

WE the members of the Court of Equity agree, in presence of Commander Ruxton and the Chiefs of Bonny, to exercise thorough and impartial justice between English and Natives on all occasions.

We also agree that the accused and the Chiefs of whom he may claim protection are present at the trial.

All complaints on either side to be submitted to the Court of Equity.

Dated on board Her Majesty's ship "Pandora," 27th March, 1865.

(Signed by all the Supercargoes.)

Original given to the Chiefs by me.

(Signed) W. F. RUXTON.

Inclosure 31 in No. 72.

Commander Ruxton to Commodore Wilmot.

Sir, *"Pandora," Cameroon River, March* 31, 1865.

IN obedience to your orders I entered this river on Wednesday 28th instant, for the purpose of carrying out their Lordships' instructions as contained in letters dated 21st November and 13th December, 1864.

On Thursday morning I saw the Chief Bell, and he, in the presence of Mr. Saker, the well-known missionary, entirely denied having at any time written any letter to Her Majesty or to Her Majesty's Government either begging leave to come to England or making any complaint whatever, or causing or knowing of any other person writing a letter in his name.

I asked him if I could do anything for him, and he mentioned that a small present had been promised him by the Captain of a man-of-war for sending information and preventing the sailing of a slave-ship in 1860 or 1861; she was captured, but neither Mr. Saker or myself remember by whom. I have no doubt you remember the circumstance.

It is politic to keep a promise of that sort, as it enables us to do without any regular cruizer in the rivers, and 25*l.* or 30*l.* in goods would be a very handsome present.

There are three Chiefs, Heads of towns, in the Cameroons independent of one another, all equally poor, and almost devoid of power.

There were no difficulties of any consequence to be arranged, and everything quiet and trade flourishing.

I have, &c.

(Signed) W. F. RUXTON.

No. 73.

Commodore Wilmot to the Secretary to the Admiralty.

"Rattlesnake," at Sea, Lat. 6° 0′ *N., Long.* 13° 0′ *E.,*

Sir, *April* 22, 1865.

I HAVE the honour to forward, for their Lordships' information, copies of the translations of letters I have received from the French Commander-in-chief on various subjects.

Their Lordships will observe that the services of the "Pandora," Commander W. F. Ruxton, are especially alluded to by the French Admiral.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 73.

Rear-Admiral Laffon de Ladebat to Commodore Wilmot.

(Translation.)

Sir, *"Armorique," January* 23, 1865.

I REGRET as much as yourself that circumstances have as yet prevented us from meeting, and I hope to be more fortunate this year, and that I shall ultimately fall in with you. But as it is impossible for me to fix a

rendezvous, I take advantage of my passage to Cape Coast Castle to acknowledge the receipt of your last letter, and to answer the same.

I willingly accept the propositions you did me the honour of addressing to me regarding a code of signals to be the means of communication between the English and French cruizers on the West Coast of Africa. I think that the flags of Marryat's Telegraphic Code which are at present in use between the two navies might be advantageously employed for that purpose. In the meantime, until we shall have agreed upon the basis of this new code of signals, we can avail ourselves of Marryat's Telegraph, as heretofore. I nevertheless admit that this means of communication is insufficient, and I am fully disposed to adopt any suggestion which you may deem it advisable to make to me on this subject, the importance of which I understand as much as yourself.

Be pleased, &c.
(Signed) LAFFON DE LADEBAT.

Inclosure 2 in No. 73.

Rear-Admiral Laffon de Ladebat to Commodore Wilmot.

(Translation.)
My dear Commodore, *"Armorique," Sierra Leone, April* 13, 1865.

I CANNOT leave Sierra Leone without thanking you for the assistance you gave to the French merchant-ship "Contesse de Brienne," by sending the gun-vessel "Pandora" to help to get her afloat; and I shall represent this to the Minister of Marine to show him how friendly are the relations between the English and French navies on the West Coast of Africa.

I eagerly seize, &c.
(Signed) LAFFON DE LADEBAT.

No. 74.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," off the Bonny, May* 5, 1865.

I HAVE the honour to forward, for their Lordships' information, the inclosed copies of letters sent by me to King Pepple and his Chiefs, as well as to Captain William Babington, Chairman of the Court of Equity, upon the occasion of my late visit to the Bonny.

2. It is high time to stop the ridiculous conduct of these people upon all occasions when palavers are held.

3. The King and his son Prince George have both been to England, and therefore know full well the value of time. There was no excuse on this occasion, and I hope the lesson I read to them yesterday will have a favourable effect upon their future conduct.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 74.

Commodore Wilmot to King Pepple.

Your Majesty, *"Investigator," River Bonny, May* 4, 1865.

1. I HAVE come to the Bonny at some inconvenience to myself to see your Majesty concerning the affairs of the river, and you have been apprized by Captain Babington, Chairman of the Court of Equity, that I should be off Bonny town at an early hour this morning.

2. You have had ample time to prepare yourself for my visit; and as the Representative of the Queen coming to your country, I had a right to expect either your personal appearance, or the presence of your principal Chiefs, with full authority to act on your part.

3. You sent a message to say that you were unwell, and deputed, you say, Prince George to act in your place.

4. Twelve o'clock was the time appointed, and we were to meet on board the "Mississippi" for the purpose of a friendly palaver, and the gentlemen trading in the river were invited to attend, and came punctually to the time.

5. I waited till 1 o'clock, one hour after the appointed time, but no principal Chiefs, or no Prince George, although I myself spoke to the latter twice during my walk through the town.

6. This state of things cannot last, and the time has now arrived to put an end to these slights, which are derogatory to the dignity of Her Majesty's Government.

7. You have been in England, and therefore know full well the value of time; Englishmen have plenty to do, and are not accustomed to be kept waiting by idle people.

8. This procrastination and this indifference to keeping your word, as well as this contempt for the white man's laws, has been shown by you and your people on many occasions.

9. Why is this? And what object have you in behaving in this undignified manner?

10. My great object in coming here is to hear all complaints, and settle all disputes in a just and satisfactory manner to all parties, black and white.

11. I will not suffer myself, or the gentlemen trading in this river, to be treated in this uncourteous manner for the future. If you wish for trade and friendship with the British Government, founded on mutual acts of honesty and good feeling, you must abide by the laws of civilized nations.

12. You are disturbing the peace and prosperity of your country by this ridiculous conduct, and the Chiefs will some day take away your rank and privileges.

13. In the name of the British Government I therefore impose a fine of 20 puncheons of oil upon you for this act of indignity, and all trade in the river will be stopped till this is paid.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 2 in No. 74.

Commodore Wilmot to the Chiefs in the River Bonny.

Gentlemen, "*Investigator*," *River Bonny, May* 4, 1865.

THE conduct of your King in not attending the palaver on board the "Mississippi" at 12 o'clock this day or sending some principal Chiefs to represent him, has offended me very much, and at the same time caused me great regret. Ample time has been given him, and I cannot but consider his conduct most offensive in every way.

As Chiefs in the Bonny engaged in a great and flourishing trade with the English, it is your business and your duty to prevent this behaviour for the future.

Your King will bring disorder and ruin upon your country, if he is permitted to act in this way.

Englishmen are not accustomed to be treated in this manner, and I call upon you as the Representatives of your country to advise the King and confer with him on this important subject.

I have inflicted a fine of 20 puncheons of oil upon the King for his conduct on this occasion, and all trade will be stopped till this is paid.

I am, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 3 in No. 74.

Commodore Wilmot to the Chairman of the Court of Equity, River Bonny.

Sir, "*Investigator*," *River Bonny, May* 4, 1865.

IN consequence of the slight cast upon myself as Commodore commanding the British squadron on this station, and as representing the Queen on this occasion, by the non-attendance of King or Chiefs at the palaver on board the "Mississippi," appointed to be held this day at 12 o'clock, I consider it due to the Queen's Government, myself, and the gentlemen trading in the river, to inflict a fine of 20 puncheons of oil upon King Pepple, for his most extraordinary conduct on this occasion.

All trade in the river is to be stopped till this fine is paid.

I am, &c.
(Signed) A. P. EARDLEY WILMOT.

P.S.—No natives of the Bonny are to be allowed on board under any circumstances whatever.

A. P. E. W.

No. 75.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Fernando Po, May* 16, 1865.

WHEN in the Bonny a few days ago settling the affairs of the river, the traders there spoke most highly of the conduct of the King of the New Calabar River, in contrast with that of King Pepple and his Chiefs.

In consequence of this I sent him a letter of thanks, copy of which is inclosed, in which their Lordships will see that I promised to recommend him to Her Majesty's Government for a present.

If Her Majesty's Government think proper to carry out my recommendation, I am quite certain it will have a most beneficial effect in all the rivers of West Africa where trade is being carried on.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 75.

Commodore Wilmot to the King of New Calabar.

Your Majesty, "*Investigator*," *Bonny River, May* 8, 1865.

IT affords me the greatest pleasure to convey to your Majesty my own thanks, as well as those of the British Government, for the good feeling you have upon all occasions exhibited towards the English traders in the New Calabar river.

I am also informed that you give them every protection, and will not allow robberies to be committed with impunity.

This reflects the highest honour upon your position and gives encouragement to the white man to come into your river.

Without protection of this kind it is impossible to trade with goodwill or safety.

Your conduct inspires the English with confidence, and is a bright example to the neighbouring Kings and Chiefs, who will do well to follow your footsteps.

I am sorry that I cannot pay a visit to your town, but I shall recommend the British Government to send you a present in testimony of your good faith and fair dealing with our people.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 76.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," in Turtle Cove, River Congo, June 7,* 1865.

1. I LEFT Fernando Po on the evening of the 18th May, and arrived in Turtle Cove, River Congo, on the forenoon of the 24th, having coasted along from Cape Lopez, and anchored every evening.

2. On 23rd ultimo I signalled "Pandora," at anchor off Loango, to rendezvous in the Congo, and the "Pioneer," then in chase of a French barque, to meet me at the same place.

3. The "Archer" was at anchor off Banana Point, but joined me the same afternoon.

4. I dispatched "Pandora" to bring up "Jaseur" from Mangue Grande, but Commander Grubbe having extended his cruizing-ground to Ambrizette, Commander Ruxton returned without being able to communicate. On the following morning I sent a boat from this ship in charge of the master, who returned with the "Jaseur" on the fourth day.

5. Their Lordships will remember the circumstances of the English schooner "Sverige" belonging to Messrs. Hatton and Cookson, of Liverpool, being plundered by the natives of this river on the 24th December last, when at anchor about twelve miles up on the left-hand bank. Mr. Mc Culloch, Agent to Messrs. Hatton and Cookson, on board at the time, was badly wounded in three places, and taken prisoner with his steward. One krooman was killed, and several others, including the white crew, were wounded, and only escaped death by making their way aloft.

6. Everything was taken out of the vessel, and even the boats belonging to her were lowered down and filled with cargo.

7. During the process of plunder, the carpenter of the schooner, an Englishman, who had been wounded, slipped the cable, and she dropped down with the current towards the entrance of the river, where she was seen and boarded by the cruizer at anchor off Shark's Point, the Commander of which sent an armed party on board, put her to rights, and anchored her again some way up the river.

8. The plunderers, of course, had all decamped into the bush with their boats, and were nowhere to be seen. I am told by the carpenter, who was at Fernando Po when I was there a short time ago, and entered on board the Hamburgh brig "Parthenopé," in consequence of the "Sverige" having been sold, that there were at least 100 canoes.

9. This is not the first time that English vessels and others have been attacked and plundered in this river; nor is it the first time that Englishmen have been ill-treated in their factories. The boats of our cruizers even have been fired upon in their passage up and down from villages on both sides, and Cabenda boats, in the pursuit of lawful trade, have been, and are still, frequently stopped and everything taken out of them, while the padron, or headman on board, has on more than one occasion been shot at and killed.

10. Under these circumstances I considered that the time had arrived to put a stop to these atrocities, and teach the natives a lesson not easily to be forgotten.

11. Inclosed are copies of my orders to Captain F. Marten, of Her Majesty's ship "Archer," as well as his Reports to me on the subject, and their Lordships will see that this officer has most fully and energetically carried them out to the utmost of his power.

12. The nature of the ground over which the operations had to be carried, as well as the approaches to it, prevented anything like personal contact with the natives, who were able to run away and make their escape into the bush without being seen. They fled at the approach of the boats, with the exception of a few

more courageous than the rest, and it was from the fire of those that the few casualties occurred.

13. The "Pioneer," in addition to her 20-pounder Armstrong, was fitted with a 24-pounder rocket, and the pinnace and cutter of this ship, as well as those of the others, had each a 12-pounder rocket besides their gun. Captain Marten most judiciously swept the landing-place and bushes on either side as he approached and before attempting to land, by which process the natives were driven away panic-stricken by the fire of the rockets, which forced their way through everything.

14. The squadron left Turtle Cove at daylight of the 26th ultimo, and returned on the forenoon of the 28th, but I dispatched them again the same afternoon, having succeeded in obtaining guides for all the intricate and unknown creeks, which proved of the most essential service, as it enabled Captain Marten to penetrate their haunts and destroy their towns.

15. The river on both sides is infested with these pirates, who live upon the proceeds of the plunder; one is as bad as the other, and Captain Marten found the log-book and register, as well as the papers of the "Sverige" in a house belonging to the villages destroyed. There was also a life-buoy, the remains of a boat, and shoes and boots, which formed part of the cargo of the "Sverige," and very clearly shows that we have succeeded in punishing the right people.

16. The destruction of nineteen towns by fire, besides detached houses and many large canoes, with all their contents, show what has been effected by the efforts of the squadron, and there is no doubt that the loss of life amongst the natives has been very great.

17. Greater injury would have been inflicted if the grass had been dry and the crops ripe, but Captain Marten very humanely spared their crops for the sake of the women and children.

18. I have every reason to be well satisfied with the result of this expedition. Our boats has been where no white man has ever been before, and I am quite confident that this circumstance alone, independent of the great loss inflicted, will teach these barbarous tribes a lesson they will not easily forget. It will show them that our power can reach them in their secret places, and that they may expect punishment when they are little prepared for it.

19. Captain Marten's conduct has been most energetic and judicious, and he exposed himself on all occasions most freely, without consideration, to the fire of the natives from the bushes. He well deserves their Lordships' most favourable notice.

20. Commander Ruxton is an old officer of many years' standing. I have on more than one occasion mentioned his very excellent services.

21. Captain Marten speaks most highly of all, and has brought to my notice the efficient services of Acting Commander Sandys, who commanded the boats of the "Rattlesnake," and Mr. Thomas Cowd, gunner 3rd class, belonging to this ship, who served under him in the pinnace.

22. I am most happy in being able to inform their Lordships that all the wounded are doing well, and that there have been no cases of fever.

23. The wounded and others who require a change have been received on board the "Rattlesnake," and will be conveyed by me to the South Coast and Ascension.

24. While the operations in the river were going on, I sent the headman of Shark's Point (King George), detained by me on board as a hostage, who receives his appointment from King Antonio, a powerful Chief that resides at Saint Antonio, and rules over a large track of country extending from Shark's Point round Point Padron, and for a long distance to the southward, with a message to the King, desiring him to come on board and have a palaver with me upon the affairs of the river.

25. Neither the King nor any of his predecessors have ever been on board a ship before; they are not permitted by their people to see the "Great Sea;" but I was determined to overcome this absurdity, and accordingly he came, preferring the wrath of the Fetish to the burning of his town. The inclosed Treaty with him was then made, and I consider it to be a most important one, as many thousands of slaves have been shipped from his territory to the eastward of Point Padron.

26. The brother of the King (Domingo) came with him, and I arranged that when the squadron returned to this anchorage, he should bear a message from me

to the Chiefs and headmen against whom the operations had been carried on, inviting them to come on board the "Rattlesnake" to settle a "peace palaver."

27. The squadron returned on the morning of the 2nd instant, and having received information that the Chiefs had consented to come, and would be at Shark's Point on the afternoon of the 5th, I directed the "Jaseur" to anchor off that place on the following morning, and to embark and bring them down to me the same afternoon.

28. Accordingly at noon the Chiefs arrived, attended by a host of followers, and were received by myself, Captain Marten, and all the Commanders, and most of the officers of the squadron, on board the "Rattlesnake." The marines and seamen were drawn up, and as much display made as possible, band-playing, &c.

29. King Antonio came with them, and we had a great palaver on the poop, which lasted two hours. I spoke to them very strongly on their conduct with regard to their plundering vessels, and disturbing the peace and trade of the river, and gave them a long lecture on what their conduct ought to be. I told them that it was in consequence of their atrocities that I had punished them by destroying their towns, and that unless they promised good behaviour for the future, I should most certainly go on with the operations, and give them no peace.

30. They promised most faithfully to do what I told them, and said that they were sorry for their conduct. I accordingly read over to them with great care and patience the same form of Treaty made with King Antonio, which they perfectly understood and agreed to.

31. Their Lordships will see that I have taken advantage of these hostilities to bring the abolition of the Slave Trade before their notice, and that all has been satisfactorily arranged.

32. The Chiefs, after being well entertained and receiving the customary presents, were sent back in the "Jaseur," and landed again at Shark's Point the same evening. A few guns were fired on the occasion.

33. The squadron will break up this day. I shall go to St. Paul's de Loanda with the "Pioneer." "Archer" will take her station off Mangue Grande, "Jaseur" off Loango, and "Pandora" remain in the Congo.

34. I trust their Lordships will approve my proceedings.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

P.S.—I inclose also, for their Lordships' information, copy of a letter from Lieutenant Tandy, of Her Majesty's gun-vessel "Jaseur," reporting his proceedings in the destruction of canoes and natives in February last.

P.P.S.—I omitted to inform their Lordships that the "Archer" accompanied the expedition up the river.

A. P. E. W.

Inclosure 1 in No. 76.

Orders addressed to Captain Marten.

By Arthur Parry Eardley Wilmot, Esq., &c., &c., &c.

THE late attack upon the English schooner "Sverige," belonging to Messrs. Hatton and Cookson, of Liverpool, by the natives of the River Congo, deserves severe chastisement; and for this purpose I have selected you to take command of an expedition, having for its object the infliction of a lesson that shall long be remembered in this neighbourhood.

2. The Commanders of the "Pandora" and "Jaseur" have received orders from me to place themselves and their vessels under your immediate command; and you will also take the "Pioneer," in which vessel you will hoist your distinguishing pendant.

3. I have also added to your force the pinnace and one cutter, with a party of marines, from the ship bearing my broad pendant, fully manned and equipped, under the directions of Acting Commander Henry Stair Sandys, assisted by the Gunner and Mr. James F. Foot, Master's Assistant.

4. There is a gun in the pinnace, and she is fitted for rockets, as is also the cutter.

5. You will take also the pinnace of the "Archer," and a cutter.

6. These boats are to be towed by the "Pioneer," or by the cruizers, as you may deem expedient.

7. Everything is to be furnished for the health and comfort of the men; quinine issued every morning, as well as an allowance of tea at daylight, in addition to the usual breakfast of cocoa; lime juice as convenient.

8. The boats' crews are to sleep in the "Pioneer," or on board one of the cruizers, under the protection of the awning.

9. Having now provided the force, I will give you my instructions as to how it is to be employed.

10. It is impossible to find out who are the culprits, as none will come forward to give information, and for this reason an example must be made amongst all parties.

11. You are to destroy all villages and canoes on the left-hand bank of the river as far as you may deem advisable, and make as many prisoners as you can. If the canoes will not surrender themselves, you will fire upon

them and sink them. Upon no account are you to expose your men uselessly, the great object being to inflict severe punishment, without any loss on our side if possible.

12. The "Pioneer" can go very far up accompanied by the boats. The "Pandora" and "Jaseur" should be placed in convenient spots so as to prevent escape, and add to the general destruction.

13. Rockets will be of most essential service, but great care is to be taken not to throw the fire away.

14. Women and children are to be spared; but I shall have no consideration whatever for the Chiefs, and those men who live by plunder and villany, and are the great disturbers of the peace of the river.

15. The health of the expedition is to be particularly attended to; and I have sent the Assistant Surgeon of the "Rattlesnake" to do duty in the "Pioneer."

16. I shall remain off Shark's Point until you return; and I have every confidence that you will carry out my instructions to their full extent.

Given on board the "Rattlesnake," River Congo, the 24th day of May, 1865.

(Signed) A. P. EARDLEY WILMOT.

Francis Marten, Esq.,
Captain of Her Majesty's ship "Archer,"
and Senior Officer of the Southern Division, West Coast of Africa.

By command,
(Signed) H. B. ROBINSON, *Secretary.*

Inclosure 2 in No. 76.

Captain Marten to Commodore Wilmot.

Sir, *"Archer," at Turtle Cove, June 2, 1865.*

IN compliance with your orders, I have, with the "Pioneer," and boats of the ships named in the margin,* been engaged one week in searching the creeks between Chimma Beeka Creek and Oyster Haven.

We have destroyed nineteen towns and villages, some of considerable size, and others only containing a dozen houses; we have also broken up every canoe we could find.

I have to thank Commanders Ruxton and Grubbe and Acting Commander Sandys for their cheerful and ready assistance and suggestions. Commander Ruxton on Monday and Tuesday, and on Wednesday and Thursday that officer in turn with Commander Grubbe, commanded on each occasion of landing, and saved us many casualties by the precautions they took for keeping the bush clear, while the fire-parties, under Mr. Thomas Cowd, gunner of the "Rattlesnake" (who was particularly active and useful), were burning the houses.

Lieutenant Ommanney commanded the boats of the "Archer" during the whole of the operations, and the whole of the officers and men did what they had to do cheerfully, steadily, and well.

I inclose a statement of the killed and wounded, which I hope you will not think large, considering the nature of the service we have been engaged in.

We of course destroyed every canoe we could find.

I inclose the writings, &c., found in the huts, and a rough sketch of the scene of operations made by Mr. J. H. Martin, Midshipman of this ship.

I have, &c.
(Signed) F. MARTEN.

Inclosure 3 in No. 76.

RETURN of the Killed and Wounded belonging to Her Majesty's ships "Pioneer" (tender to "Rattlesnake"), "Archer," and "Pandora," between May 26 and June 2, 1865.

"Pioneer," tender to "Rattlesnake."

Name.	Age.	Rating.	Nature of Injury.	Remarks.
	Years.			
William H. Smith ..	19	Ordinary ..	Gun-shot wound of right fore-arm and right side of abdomen. Ball lodged.	Dangerous. Doing well.

"Archer."

Name.	Age.	Rating.	Nature of Injury.	Remarks.
	Years.			
Henry Bullen ..	23	Private, R. M. L. I.	Gun-shot wound through the head ..	Died sixteen hours after the receipt of wound.
Peter Rourke ..	26	A. B.	Musket-shot wound of right arm ..	Very severe. Ball lodged. Doing well.
John Cottrell ..	20	Ordinary . ..	Musket-shot wound of the neck ..	Very severe. Bullet lodged. Doing well.
Frederick Vidgeon .	19	Boy, First Class ..	Musket-shot wound of left leg ..	Severe, but doing well. Returned to his ship.
John Caldwell ..	23	A. B.	Abrasion of chin from musket-shot ..	Very slight.
George Whicher ..	26	Gunner, R. M. A. .	Abrasion of face from musket-shot ..	Very slight.

"Pandora."

Name.	Age.	Rating.	Nature of Injury.	Remarks.
	Years.			
Mr. Wm. Barrett ..	27	Gunner	Musket-shot wound of the back ..	Severe. Returned to duty.
James Adderly ..	20	A. B.	Musket-shot wound of the scalp ..	Severe. Returned to his ship.
Henry Stalland ..	20	Ordinary . ..	Musket-shot wound of left arm and abdomen	Dangerous. Doing well.
Henry Thomas ..	27	Private, R. M. L. I.	Musket-shot wound of head ..	Very severe. Returned to his ship.

* "Rattlesnake," "Archer," "Pandora," "Jaseur."

Total Killed and Wounded.

	Killed.	Wounded.
"Pioneer," tender to "Rattlesnake"	..	1
Her Majesty's ship "Archer"	1	5
Her Majesty's ship "Pandora"	..	4

(Signed) WM. D. SMYTH, M.D., *Surgeon, H.M.S. "Archer."*

Inclosure 4 in No. 76.

Engagement between Her Majesty the Queen of England and King Antonio and his Successors, of Saint Antonio, in the River Congo, for the Abolition of the Traffic in Slaves; for the Prevention of Human Sacrifices; for the Encouragement of Lawful Commerce; for the Protection of all White Traders, more particularly British; and for the Punishment of all Pirates and Disturbers of the Peace and Good Order of the River.

COMMODORE ARTHUR PARRY EARDLEY WILMOT, C.B., commanding Her Majesty's Naval Forces, on the part of Her Majesty the Queen of England, and King Antonio and his Successors, in the River Congo, have agreed upon the following Articles and Conditions:—

ARTICLE I.

The export of slaves to foreign countries is for ever abolished in the territory of King Antonio and his successors, and King Antonio and his successors engage to make and proclaim a law prohibiting any of their subjects, or any person within their jurisdiction, from selling, or assisting in the sale of, any slaves for transportation to a foreign country; and King Antonio and his successors promise to inflict a severe punishment on any person who shall break this law.

ARTICLE II.

No Europeans, or other person whatever, shall be permitted to reside within the territory of King Antonio and his successors, for the purpose of carrying on in any way the Traffic in Slaves; and no houses, or stores, or buildings of any kind whatever, shall be erected for the purpose of Slave Trade within the territory of King Antonio and his successors; and if any such houses, stores, or buildings shall at any future time be erected, and King Antonio and his successors shall fail, or be unable, to destroy them, they may be destroyed by any British officers employed for the suppression of the Slave Trade.

ARTICLE III.

If at any time it shall appear that Slave Trade has been carried on through or from the territory of King Antonio and his successors, the Slave Trade may be put down by Great Britain by force upon that territory; and British officers may seize the boats of King Antonio and his successors found anywhere carrying on the Slave Trade; and King Antonio and his successors will be subject to a severe act of displeasure on the part of the Queen of England.

ARTICLE IV.

The subjects of the Queen of England, and all European Powers friendly to her, may always trade freely with the people of King Antonio and his successors, in every article they may wish to buy and sell in all the places within the territory of King Antonio and his successors, and throughout the whole of their dominions; and King Antonio and his successors pledge themselves to show no favour and give no privilege to the ships and traders of other countries which they do not show to those of England.

ARTICLE V.

Should the ships of English or other friendly traders be attacked by pirates or plunderers, King Antonio and his successors most faithfully promise assistance by sending their Chiefs and people with arms, and will do all in their power to punish the robbers.

ARTICLE VI.

If at any time a naval officer of Great Britain shall require guides or armed people from King Antonio and his successors to accompany the said officer on an expedition against pirates or other enemies of the Queen of England, King Antonio and his successors faithfully promise to provide them.

ARTICLE VII.

King Antonio and his successors declare that no human beings shall be sacrificed on account of religious or other ceremonies, and that they will prevent the barbarous practice of murdering prisoners in war.

ARTICLE VIII.

Missionaries or ministers of the Gospel are to be allowed to reside in the territory of King Antonio and his successors, for the purpose of instructing the people in all useful occupations.

ARTICLE IX.

If King Antonio and his successors faithfully abide by and perform the Articles of this Treaty, the British Government will consider King Antonio and his successors as its friends; and the Commodore will authorize a "dash," or present, to be made to King Antonio and his successors at suitable times.

Concluded on board Her Majesty's ship the "Rattlesnake," lying in Turtle Cove, River Congo, on the first day of June, in the year one thousand eight hundred and sixty-five.

Signed by the Contracting Parties and sealed.

(Signed) A. P. EARDLEY WILMOT, *Commodore.*
ANTONIO, his ⋈ mark, *King.*
DOMINGO, his ⋈ mark, *King's Brother.*

And witnessed by:

(Signed) EDMUND G. BOURKE, *Lieutenant.*
JOHN LYON, *Paymaster.*
H. B. ROBINSON, *Secretary to the Commodore.*
WILLIAM, his ⋈ mark, *Head Man at Shark's Point.*

Inclosure 5 in No. 76.

Engagement between Her Majesty the Queen of England and the principal Chiefs (whose names appear hereafter) holding authority on the left bank of the River Congo for the Abolition of the Traffic in Slaves; for the Prevention of Human Sacrifices; for the Encouragement of lawful Commerce; for the Protection of all White Traders, more particularly British; and for the Punishment of all Pirates and Disturbers of the Peace and Good Order of the River.

COMMODORE ARTHUR PARRY EARDLEY WILMOT, C.B., commanding Her Majesty's naval forces, on the part of Her Majesty the Queen of England, and the principal Chiefs holding authority on the Left Bank of the River Congo, have agreed upon the following Articles and conditions:—

ARTICLE I.

The export of slaves to foreign countries is for ever abolished in the territory of the principal Chiefs holding authority on the left bank of the River Congo. And the principal Chiefs holding authority on the left bank of the River Congo engage to make and proclaim a law prohibiting any of their subjects, or any person within their jurisdiction, from selling or assisting in the sale of any slaves for transportation to a foreign country: and the principal Chiefs holding authority on the left bank of the River Congo promise to inflict a heavy punishment on anp person who shall break this law.

ACTICLE II.

No Europeans or other persons whatever shall be permitted to reside within the territory of the principal Chiefs holding authority on the left bank of the River Congo for the purpose of carrying on in any way the Traffic in Slaves; and no houses or stores or buildings of any kind whatever shall be erected for the purpose of Slave Trade within the territory of the principal Chiefs holding authority on the left bank of the River Congo; and if any such houses, stores, or buildings shall at any future time be erected, and the principal Chiefs holding authority on the left bank of the River Congo shall fail or be unable to destroy them, they may be destroyed by any British officers employed for the suppression of the Slave Trade.

ARTICLE III.

If at any time it shall appear that Slave Trade has been carried on through or from the territory of the principal Chiefs holding authority on the left bank of the River Congo, the Slave Trade may be put down by Great Britain by force upon that territory: and British officers may seize the boats of the principal Chiefs holding authority on the left bank of the River Congo found anywhere carrying on the Slave Trade; and the principal Chiefs holding authority on the left bank of the River Congo will be subject to a severe act of displeasure on the part of the Queen of England.

ARTICLE IV.

The subjects of the Queen of England, and of all European Powers friendly to her, may always trade freely with the people of the principal Chiefs holding authority on the left bank of the River Congo, in every article they may wish to buy and sell in all places within the territory of the principal Chiefs holding authority on the left bank of the River Congo, and throughout the whole of their dominions; and the principal Chiefs holding authority on the left bank of the River Congo pledge themselves to show no favour and give no privilege to the ships and traders of other countries which they do not show to those of England.

ARTICLE V.

Should the ships of English, or other friendly traders, be attacked by pirates or plunderers, the principal Chiefs holding authority on the left bank of the River Congo most faithfully promise assistance by sending their Chiefs and people with arms, and will do all in their power to punish the robbers.

ARTICLE VI.

If at any time a naval officer of Great Britain shall require guides, or armed people, from the principal Chiefs holding authority on the left bank of the River Congo to accompany the said officer on an expedition against pirates, or other enemies of the Queen of England, the principal Chiefs holding authority on the left bank of the River Congo faithfully promise to provide them.

ARTICLE VII.

The principal Chiefs holding authority on the left bank of the River Congo declare that no human beings shall be sacrificed on account of religious or other ceremonies, and that they will prevent the barbarous practice of murdering prisoners in war.

ARTICLE VIII.

Missionaries, or Ministers of the Gospel, are to be allowed to reside in the territories of the principal Chiefs holding authority on the left bank of the River Congo for the purpose of instructing the people in all useful occupations

ARTICLE IX.

If the principal Chiefs holding authority on the left bank of the River Congo faithfully abide by and perform the Articles of this Treaty, the British Government will consider the principal Chiefs holding authority on the left bank of the River Congo as its friends, and the Commodore will authorize a "dash" or present to be made to the principal Chiefs holding authority on the left bank of the River Congo at suitable times.

Concluded on board Her Britannic Majesty's ship "Rattlesnake," in Turtle Cove, River Congo, on the sixth day of June, in the year one thousand eight hundred and sixty-five

Signed and sealed by us, the Contracting Parties:

(Signed) A. P. EARDLEY WILMOT, *Commodore.*
KING PLENTY, his ⋈ mark.
KING MEDORA, his ⋈ mark.
KING BAMBOO, his ⋈ mark.
CAPETA, his ⋈ mark.
MANGOVA, his ⋈ mark.
PIBRANEO, his ⋈ mark.
NIMPLOOMBI, his ⋈ mark.

And witnessed by:

(Signed) F. MARTEN, *Captain, H.M.S. "Archer," and Senior Officer, South Division.*
W. F. RUXTON, *Commander, H.M.S. "Pandora."*
W. J. HUNT GRUBBE, *Commander, H.M.S. "Jaseur."*
H. B. ROBINSON, *Secretary to Commodore.*

Inclosure 6 in No. 76.

Lieutenant Tandy to Commander Grubbe.

Sir, *"Jaseur," River Congo, February* 11, 1865.

IN compliance with your Memorandum of the 7th instant, I proceeded in the cutter of this ship, accompanied by the whaler, to cruize between the creeks Yoonga Campendi and the one into which Mr. McCulloch was taken, for the purpose of destroying canoes in that part of the river (the English schooner "Sverige" having, on the nights of the 24th and 25th of December last, been molested by them), and have to report as follows:—

After leaving the ship on the morning of the 7th, I made the best of my way with the boats under my charge to the creek into which Mr. McCulloch was taken, where I arrived about 5 P.M. that day, but did not anchor.

On my way up, when off Medora Creek, I fell in with the Cabenda boat "Sonnambula," belonging to the firm of Kerdyk and Pincoffs, under Dutch colours, which kept in company, proceeding with us up the river.

About 6 P.M., and when nearly a mile above the creek, another Cabenda boat which had preceded, was observed returning towards us pursued by canoes.

The "Jaseur's" boats gave chase, the Cabenda boat keeping company, but we did not succeed in capturing the canoes, which disappeared into the bushes, and as it was quite dusk I anchored for the night, the convoy doing the same, 100 yards below us, and about four miles below Yoonga Campendi.

About 3 o'clock on the morning of the 8th, the look-out men from the man-of-war's boats observed canoes cautiously making towards the Cabenda boats, under shadow of the shore; when this was noticed by them, they hailed us and weighed, the cutter and whaler also weighed, and stood for the nearest Cabenda boat, that one which had been previously chased, and which was now attacked by six canoes.

On our approach the canoes commenced firing; this we returned.

We succeeded in taking two and dispersing the rest, and then went to the assistance of the second Cabenda boat, which was likewise being attacked by one large and three small canoes. The large and one of the small canoes were taken, and the natives in them either killed or drowned.

Ten canoes were engaged in the attack, manned by about sixty natives; of these probably twenty were either killed or drowned, as those who jumped overboard would not allow themselves to be picked up.

Four canoes were taken and destroyed, the others escaped.

After the affray was over I anchored, the Cabenda boats having parted company and gone down the river, when we saw no more of them.

In the canoes were found and secured 160 kegs of powder, 4 boxes of cigars, the papers of the Dutch Cabenda boat, the last one that was attacked, a number of fire-arms, and other native weapons.

I continued cruizing till this morning, when I rejoined the ship, during which time the only occurrence worth noticing was the capture of three canoes off the creek, south-west of Bull Island yesterday, which were destroyed.

I have, &c.
(Signed) D. G. TANDY.

No. 77.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," St. Paul de Loanda, June* 24, 1865.

I HAVE the honour to transmit for their Lordships' information copy of a Report from Lieutenant Foote of Her Majesty's steam-vessel "Lee," relative to a visit he made to the River Forcados by my direction.

The river is next to the Benin going southward, and in former years was known to have exported a great many slaves, but I have no reason to believe that anything is going on there at present.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 77.

Lieutenant-Commander Foote to Commodore Wilmot.

Sir, "*Lee*," *January* 3, 1865.

IN pursuance of orders received from you, I anchored off the River Forcadas on the evening of the 31st December, 1864. On the morning of the following day I left the ship with the cutter and two whalers, manned and armed, steering east-south-east. I observed a low-land island about east-north-east when nearly on the bar. Carrying 3½ fathoms till nearly on the bar, found good 2½ on the bar—nearly high water at the time.

Inside the bar got 3½ to 4 fathoms, carrying that close along the north shore. In the centre of the river the depth was from 7 to 9 fathoms.

The natives on the north shore, close to the entrance, came to the beach armed, but did not communicate with us, although those on the south shore crossed in a canoe with a white flag, and asked us to their town.

Those of the fishing villages Blu-du were armed on our anchoring off the village, but invited us by friendly gestures to come on shore. After we had landed they appeared to have more confidence in us. They live principally on fish and are fine, well-built men.

On crossing to the north shore and anchoring for the night we received a visit from King Meamoe, of Yed country, who invited us to his town. He stated that he was brother, or friend to Jeboffa of Benin, and was most friendly to us, and very anxious for white men to trade.

On the morning of the 2nd instant King Meamoe returned with stock, but they would not barter with money, tobacco and rum being asked for in exchange.

At 6.30 P.M. we weighed and proceeded to visit the town of Golon, on the south bank. They received us on the beach in the most friendly manner and conducted us to the King, who asked why I had come into the river. I replied that I had come to see the state of the bar and river, and to see what articles of trade were to be procured, and also whether the natives would be friendly to white traders. They promised that if white traders came they would get plenty of palm oil and ivory, and were most anxious for ships to come in the river.

I was presented with a goat, two fowls and some yams, returning the compliment with rum and a few provisions.

We left these people much pleased with our visit.

I could not ascertain whether there had been any ships in the river lately, or, indeed, at any other time.

The natives are the finest I have seen on the coast. I should imagine that one would be equal, or more in value in Cuba than two Congo slaves. They are marked with a thin blue line down the nose and three cuts on each cheek. The women are tattooed nearly all over.

On coming out we steered north-west, until seeing an opening through the surf, we steered out west in 2¼ to 3 fathoms.

We carried 5 and 7 fathoms close to the breakers, but were unable to sound crossing the wave owing to the heavy surf which was setting in.

Mr. Holbrook and myself are of opinion that this passage is quite as deep as the other

The ship, though anchored in four fathoms, was rolling heavily, so much so that I shifted berth further out last evening.

I have, &c.
(Signed) E. G. FOOTE.

No. 78.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Little Fish Bay, July* 11, 1865.

I BEG to inclose, for their Lordships' information, copy of Commander Ruxton's report to me on various subjects connected with the Northern Division of this station, which shows the zeal, intelligence, and interest this officer has displayed during the time he has been in command.

Commander Ruxton's remarks are very valuable, and will, I am quite certain, prove of much interest to their Lordships.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 78.

Commander Ruxton to Commodore Wilmot.

Sir, "*Pandora*," *at Sea, April* 15, 1865.

I HAVE the honour to forward, for your perusal and information, the following Report on the Slave Trade and legal commerce as carried on in the Northern Division of this station, with the names and residences of the

Chiefs and the principal traders, the names of the principal outlets by which vessels could escape from the different rivers, with a short notice of some of the tribes and their leaders, with most of whom I am personally acquainted, having been up nearly every creek and river from the Gallinas to the Gambia; also some remarks on the manner I endeavour to keep my boat's crews in health.

I have, &c.
(Signed) W. F. RUXTON.

Inclosure 2 in No. 78.

Report on Slave Trade, &c., called for by Article II, Section 2, of the Slave Trade Instructions.

IT is necessary to bring to the notice of the Commodore commanding the manner and means by which I was enabled to obtain this information, and in such a short period to penetrate so far, unknown previously to British officers; to ascend, examine, and procure information in those rivers known as slaving stations; to destroy, after a chase of three weeks, a beautiful slave-schooner, and to perform those services in far from the best season of the year without loss from sickness or death.

Her Majesty's ship under my command was supplied at Portsmouth, at my request, with a ten oared cutter, much larger than usually supplied to this class of vessel.

A brass 3-pounder in the bow has the most salutary moral effect upon the natives.

The rocket can be put in the whaler.

I also obtained, by the kindness of Admiral Drummond, a large whale boat (life), built by White, of Cowes, and my own whaler, accompanied by a kroo canoe, in all manned by some thirty men, formed a force, though not aggressive, sufficiently strong to render a surprise impossible, civility the best policy, and an open attack, even by the wild and warlike tribes (see Captains Belcher and Vidal) on the banks of the Componee and Nunez Rivers, highly dangerous them.

In the boats the reins of discipline, far from being relaxed, were drawn tauter; the greatest attention was paid to the men's food, extra rations of tea or cocoa served out, and smoking made a virtue of.

The forethought of the Commodore commanding in giving orders to allow purchases to be made of fresh meat, fowls, or vegetables by the officers in command of boats, to be afterwards repaid by the Paymaster, was of great use to us, allowing me to give the men a hearty meal of soup or Irish stew, while it enabled them, after a hard day's work, to eat their ship's allowance with their tea, or the extra glass of grog that was sometimes allowed.

Quinine was issued and drunk in the presence of the officers at daylight.

Blanket suits obliged to be worn at night, myself showing the example. Blue serge during the day, and as tornadoes were constant during the months of October and November, every effort was made to keep a dry warm suit ready for each man to put on the moment the rain had ceased. Awnings almost always, even under sail, were spread, and sometimes double, by means of sails.

It is to these simple but necessary arrangements that I attribute the good health and spirits that we enjoyed, the sobriety and good conduct of the men, and the total absence of any punishment whatever.

The boats' crews were not spared in any way, white men though they were, if the service we were engaged in required it; neither rain nor darkness, nor the mid-day sun, prevented our ceaseless advance; and the almost ubiquity of the white boats of the "Pandora" was an endless subject of wonder among the native tribes.

A strong spirit of emulation existed between the boats, and our progress was wonderfully rapid.

The whale boats did and could pull fourteen hours out of twenty-four without apparent fatigue. It is scarcely necessary to state that this would not have been done if I had not been seconded by the zeal of the officers and the willingness and good temper of the men.

Irrespective of my success in capturing the slaver, I sincerely believe that our repeated presence off the towns of the different Chiefs has had the best effect in doing away with the idea that we were becoming lukewarm in our endeavours to put an end to the Traffic in Slaves; whilst a number of petty disputes were easily and rapidly settled between the natives and Sierra Leone men and others calling themselves British subjects, and the few English merchants were overjoyed at seeing their own flag, as well as their material interests advanced and their security guaranteed, as the news of the indemnity obtained by me in the Mellacorree from the Chiefs was known.

The ship herself was cruizing off the mouths of the rivers, as the numerous outlets permit the slavers when chased by boats to cross from river to river by means of creeks, and it was requisite to make our small force extend as far as possible.

Mellacorree River.

The Traffic in Slaves in this country is carried on partly by canoes, and partly by land; the latter plan entirely was adopted whilst I was senior officer of the Northern Division.

They are marched round at the back of Sierra Leone from the Sherbro, through and from Quia, across to Sierra Leone River, and are sold among the Zoozoos and in the Barrizee country; they are generally well treated from causes that deserve a separate paragraph, and are employed in the cultivation of ground nuts and rice.

Except in cases of gross misconduct, they are seldom sold to foreigners, nor have any slave ships been in the river for many years.

Legal commerce, divided amongst three large and some smaller factories, is very considerable. Mr. Rosenbush, F. Reader and Co., and Mr. Heddle, have large and well-conducted factories. One Mr. Reader lives in great comfort and health at Forecarreah, in a beautiful country. Horses, cattle, and sheep in great plenty. I subjoin a list of the principal articles exported, almost entirely in foreign bottoms; the nuts to France, hides to America.

Ground nuts (Arachid)	6,000 tons.
Hides (value)	£30,000
Gum „	£4,000
Palm oil „	£3,000
Bullocks to Sierra Leone	£1,500
Beni seed (value)	£2,000

This takes no account of small quantities sent by Timannee and other native canoes.

Morriecanish and Mallageah are both large towns, stockaded, with principally a Mussulman population. There is a Marabout priest, a fellatah I think, at the former place, who exercises some control, but the Chief is Yemba Lamina; but the headmen of houses, the elders, are the real power.

Mallageah is the place where the "Teazer" was unfortunately beaten off with heavy loss a few years ago. My object in visiting this river was for the purpose of obtaining an indemnity for goods stolen from the factory of Mr. Reader, which, as I have already informed you, I succeeded in doing.

The Dobreeka River.

A few slaves are sent down this river by canoes through the Digi-Digi creek and at the back of Komibondee Island, and Ballah Demba, the Head Chief of the Colloon Bagaas, who owns the left bank of the river and the Isles de Los, for which latter place we pay him 60*l.* a year, has large canoes, and I am sure he procures and sells slaves to the European dealers. He is a firm believer in fetish, and had, when I last saw him, three men in chains, and a court of his elders sitting to determine what was to be done with them, for they had turned themselves into leopards and destroyed a woman in the bush.

Vessels of ten feet draft can go up this river a long way, forty or fifty miles. It runs from the eastward, making a bend round the Peak of Kakulimah, and finds its way into the sea opposite the Isles de Los.

The country is volcanic. Masses of tufa show here and there. If the Mountain of Kakulimah is not active at present, it has been so within a very recent period, and smoke is said to be seen on its summit during the excessively clear periods which follow the tornadoes during the commencement and break of the rainy season. The natives say it burns, though the name Kakulimah implies "it is steep, impossible of ascent."

I am strongly of opinion that the Isles de Los and that neighbourhood was the turning point of the voyage of Hanno, the Carthaginian Admiral; it seems to agree better than the other numerous places given out by the learned as the end of that famous expedition. And the description of the country from Jeba to the Mellacorree as related to me as it was even thirty years ago, seemed to agree in a wonderful manner. Almost the very words were used by my informant, and he described the great herds of large baboons in the country. But I will not enter into this controversy. Both the population and the cultivation appear to have decreased in the last half century in all this country.

The legal trade of the Dobreeka and Bremiah rivers, for they may be taken together, is small, but in the former extending. Considerable numbers of hides are procurable with beni seed and gum, ground nuts, &c. An American house, with Captain ——— for agent, and a French house, that also does business in the Rio Pongas (M. Pons), are the chief traders.

We crossed by creeks from the Dobreeka into the Bremiah River when in chase of the schooner, and pulled up the latter river till we came to the rapids above which the tide does not flow. For the last eighteen miles we had the hills of Loomba on our right, distant not more than five miles, running parallel with the stream which ran to the north-east. They were covered with bright green grass and large open spaces clear of trees, and were from 1,800 to 2,000 feet in height.

Two distant terraces, like the roads of Glen Roy, ran along the south-west side; indeed, my attention was called to them by the men pointing them out as "a real road;" they were probably ancient beaches, and were some 800 feet above the sea level.

A little before 5 in the morning we could hear the rush of the rapids, and as we advanced the stream became full of islands.

We anchored a short half mile below the falls; and as soon as it was light I landed and, with Mr. Lawson, the Government Interpreter, and my coxswain, started to walk up to the town.

We ascended over limestone rock all the way to the stockade, about three quarters of a mile, and about 300 feet above the river on a sort of plateau. The sun was just rising, large and red, as I looked round and down the path we had come up. To the southward the lofty peak of Kakulimah, with its conical crater plainly visible, stood out in the solid darkness, casting its dark shadow over the plain. On its left, with the light just glinting their green sides, stood the Paps of Loomba, while hill and forest stretching away brought the eye round to the river clear and bright, dashing along through rocks and foliage till it was lost among the huge overhanging trees. Beneath us two small columns of smoke ascended into the calm still air, showing where the three boats were at their anchorage. The morning air was fresh and clear; far away towards the sea the mist rose heavy and clammy from the sodden mangrove swamp, but where we stood it was bright and invigorating.

The natives were gathering round us, all armed, some with muskets others with swords, and watching us from behind the great cotton trees. We moved on, and entering the stockade picked out the most decent looking man and made him conduct us to the Chief's house. He is a well-known slave-dealer, and we have no Treaty with him, which is a pity, as at least one European, a man named Kitan, an Italian, lives in his territory, and keeps a large cutter up the river. Depôts of slaves are also ready to be sent down by the tide to the entrance.

The Chief appears to be a quiet respectable sort of man, with some power personally over the tribe, and was very civil to us. A very small stipend, paid regularly, would stop the export of slaves from that river if properly managed at first. The Chief, at my request, ordered a fair to be held on the river side, and we got plenty of fowls, &c., though high prices.

Soon after 8 A.M. we began to retrace our steps, with oars again, and except for one short hour the boats' crews pulled on till 6 P.M.

There is a creek running to the northward on the right bank of the river, and about four miles from its mouth, called the Cabaleer Creek, which should always be searched, as it is a hiding-place for boats and slaves during the time the slaver is waiting outside.

The Rio Pongas.

A once famous slave-station. This river, well known in the annals of the Slave Trade, has the character of an estuary, with one large river and many small streams running into it. It has four mouths, viz., one to the south the Cantiloon Bar, not passable, except for large launches in fine season; Sand Bar, sixteen feet water at high water spring tides; the Mud Bar, about the same water but safer, for the bottom is mud and the rollers less heavy, but it takes a sailing-vessel four or five days to get round from it into the main river; the most northerly is the Taponea Bar, about six feet water and a heavy surf. There are creeks running in all directions in which it would be easy to hide a vessel; a couple of boats could search them in two days.

I pulled up the river for many miles, expecting it to get more narrow, when suddenly I found myself under a range of green hills, in front and at their base what appeared to be a ruined town, but in reality pillars and rocks of basaltic formation worn by weather or by water in former ages into curious contortions, one appearing like a village church. Many small streams formed a sort of basin with numerous islands. On our left was the town (stockaded) of Lana; in front, the town of Bangalong, formerly a large trade with the interior; and on our right, in an admirably selected situation, rose the fort of Farinhia, still well kept and strong, with heavy guns on traversing platforms at the angles in circular bastion, side tackles in their places, and sponge and rammer standing ready.

Slave Trade.—I am inclined to think that owing to the extreme jealousy existing between Mrs. Lightbourne, of Farinhia, Style Osman, of Bangalong, and Faber, of Lana, as well as between the purely native Chiefs (for two of the former have some European blood in them), as well as the neighbourhood of Sierra Leone, to which one of them might send intelligence, that no slaving is absolutely carried on at present in the river, but they are all most willing and anxious for a chance. Mrs. Lightbourne told me she was tired of it, and as she is a nice old woman of more than seventy perhaps she is. But it is like gambling—once they begin they can't stop if they wish it.

The country is clear and open, plenty of cattle, and milk in abundance, the only place on the West Coast that I have seen it in any quantity.

Style Lightbourne, a son of the old woman, has a stockade and well-built wharf a little above Devil Island, but is a legal trader.

Legal Trade.—Entirely in the hands of the French; the exports much the same as Mellacorree river, in smaller quantities. Now and then, however, a little coffee and some gold is exported, but less than formerly. There are two or three small factories, but a great want of capital apparently. A few boats come from Sierra Leone and Goree. There is a large missionary establishment on the creek leading to the Cantiloon Bar, at a place called ————.

The people appear to be turbulent and rapacious, and the rents paid for the factories are very high. The Customs levied, however, do not exceed 2½ per cent. M. Pons and Co., and a Mr. Franty, a Prussian subject acting for a French house, seem to be the two principal traders.

By taking advantage of the tide, it is easier to examine this river than it would appear to be. In four days on one occasion I did it thoroughly.

There is an Englishman, I fancy a seaman, who has lived amongst the natives for many years on the Taponea Creek. He trades a little, and lives exactly as one of the natives. Personally I did not meet him, though my boats did.

The Rio Nunez.

Though on a larger scale, it is an estuary like the Pongas. Large vessels can go up thirty or forty miles with the greatest ease. Plenty of water over the bar, an admirable spot on Sand Island to beach a vessel, thirteen feet rise and fall, and a hard sand beach to lie on; the sea breeze could reach you every way. No inhabitants. A vessel drawing three feet of water can go up to Debucko, where the French have a concession of land. It is said the position was chosen by General Faidherbe in person; it is above Walkeria a little. A vessel drawing fourteen feet would have no difficulty in going to Repasse.

Slave Trade.—I believe that the slavers do not absolutely go into the river, but lie further north, at the entrance of the labyrinth of creeks that join the Nunez with the Componee and with the sea, beyond the surveys of our officers. As I did not sound all the way, I cannot speak with certainty, but I believe the "Pandora" might be taken more than half way to Bulama without once seeing the sea. I have, however, heard that slaves have been shipped instead of ground-nuts, but it may not be true.

Legal Trade.—This is very large, almost entirely in French hands, though Repasse, belonging to a half-caste British subject, born in Gambia, a Mr. Cansey, is the best situated, and has been a flourishing place. Large iron-roofed stores, built when iron was not so common as now, two good houses, smithy and carpenter's workshop, broken boats, two Thames racing wherries, pictures, mirrors, good furniture broken and worm-eaten, show what it has been. Some ten miles below, on the same bank (the right), is the factory of M. Sainton, very large and admirably arranged, doing a large trade direct with Marseilles. The powder magazine is far better built than any in our West Coast Colonies.

Two miles below, on the left bank, close to a town where Gurrah, the Head Chief, sometimes lives, is another French factory belonging to a Goree house. A mile or so below is Canyap, the proper Chief's town, and it is from this place that the creeks diverge far to the north, past the Componee and Carsinnee—the natives call the principal one Bumfa Creek, but I am not sure that it is the right name.

The people in the upper part of the river belong to the Naloo tribe. Near the sea are Bagas, naked Bagas. These latter are a part of the Baga tribe that inhabit the coast northward from the Scarcies, and are divided into the Colloon Bagas, the Koba Bagas, and the naked Bagas.

The Chief Yarrah is by way a Mahomedan, and when sober is a remarkably clear-headed fellow, and has a great deal of power.

I tried hard to get an idea of the trade, but though nothing could exceed the civility of the French gentlemen, I could make out little from them. Mr. Cansey said 200,000 bushels of ground-nuts, beni-seed, hides, coffee of first quality, a little gold.

It is a very fine river and Debucko is the place where the great paths from the Foulah country first strike the salt water, and all the trade, even going down to Sierra Leone, passes a very few miles from that place.

The Componee River.

A large wide river with a shallow bar and strong stream; little or nothing is known of it; even at Sierra Leone the name was scarcely known. The natives were said to be treacherous and warlike, allowing no boats or vessels to ascend the river. I had one or more boats in it and off it for two months, and found them harmless and quiet. They are Naloos.

It is in this river that the hiding-places of the slavers that trade to the north of Sierra Leone are, sometimes in one creek, sometimes in another.

About seven miles up on the southernmost bank there is a large creek running to the Nunez, which it enters above Victoria; and twenty miles up this creek are barracoons, besides a large ground-nut farm: they hide their canoes there also. It would be dangerous to get into this place with small boats, for at low water rocks prevent your escape, if beaten in an attack.

The schooner we captured was hid for a long time above Capcan, a village on the northernmost bank, and on the centre island indicated on the chart.

I ascended that creek, and traced it to the north and westward for at least forty miles, till I came to the sea again just to the south of the Carsinnee River.

Legal Trade.—Little or none is carried on from this river, except by canoes through the creeks; a French schooner did get a cargo, or part rather, in it, but it was furnished by Yurrah and his brother, from their farms on the Bumfa.

Slave Trade.—I believe this river, with its creeks communicating with the Nunez to the eastward, and the River Carsinnee to the north and west, is and has been the head-quarters of the slave-vessels; they make the

Conflict Reef, run into the river, hide there, and send messages to their agents. Yami Tongoe, the chief resident at Capcan, is an agent for or under Yurrah. A few scattered Sierra Leone men keep up a communication with that town, and keep the slavers *au fait* at the movements of the cruizers.

The Carsinnee River.

A large river or inlet, with a depth of from eight to ten fathoms; it lies nearly due north of the Island of Alcatras, and there are two small islands off its mouth; one has fresh water on it, and is not marked on any chart, or is any of the country in the neighbourhood surveyed. There were two; I believe, now there is only one factory in it. I was told that, two years ago, an Englishman left the river, having been there three years; that he had dealt largely in slaves, and sometimes got away three small cargoes in a year. The small legal trade is carried on with Bissao chiefly. I was told that elephants were still to be seen morning and evening in herds. My informant stated that it was a separate river, and did not communicate with the Rio Grande.

Miscellaneous Information.

There is evidently a movement going on tending to break up the slavery system as carried on among the natives themselves. This is totally unconnected in any way with either our colonies or our missionaries, nor is it to be attributed to any British or foreign influence.

There are two small districts, one inland, and at the back of the Baga country, near the head of the Dobreeka River, and another nearer the sea, and about six hours march from Canyap, on the south or left bank of the Nunez, where a number of runaway slaves hold out against their former masters.

The last-mentioned place is called Cuba ti fing; the town was founded fourteen years ago by a body of slaves, said to have escaped from the Foulah country. It has greatly increased of late, and they are said to be able to bring 1,000 fighting men into the field.

The Head Man belongs to the Bambara country, from Sego, on the Niger, his name is Farer; it is curious that in speaking of him in English the natives never style him King, Chief, or Head Man, but always Governor.

This town was attacked last year by the Foulahs, assisted by the Zoozoo Chiefs, but they were beaten off with great loss.

A large force, and I was told 200 horsemen, came down from Jimbo, the capital of the Futa Jallon country, to assist and regain their slaves.

My informants told me that the people of Cuba ti fing worked very hard, had plenty to eat, but great difficulty in obtaining arms and ammunition; that any runaway slaves were gladly received and given land, and assisted, no matter where they came from; but still it seemed to be admitted that some of the Head Men would buy slaves if they could. It was said they would not sell them, but I doubt that part of the story.

Many things, too wonderful to relate, were told me about these people; they neither give nor take quarter.

I have heard of another colony of escaped slaves near the Scarcies River, and no doubt there are more that I know nothing of.

In conclusion, I may remark that we all, officers and men, were treated by traders of all countries, by the natives and the Chiefs, with the greatest possible civility, and there never was at any time the slightest disagreement or difficulty, though we were constantly acting in opposition to what they considered their best interests.

Given on board Her Majesty's gun-vessel "Pandora," this 15th day of April, 1865.

(Signed) W. F. RUXTON, *Commander,*
Her Majesty's gun-vessel "Pandora," Senior Officer, North Division.

No. 79.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake,*" *Ascension, August* 26, 1865.

I HAVE the honour to inclose, for the information of their Lordships, copy of a letter received from Messrs. Horsfall's Agent in the River Benin, relative to the fine imposed by me upon Adjoki, Chief of Warree, in January last, by which their Lordships will see that the whole fine of twenty-five puncheons of oil has been paid.

It will be satisfactory to their Lordships to know that all the fines imposed by me on various Chiefs in several rivers have been now settled satisfactorily.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

Inclosure in No. 79.

Mr. Goldstone to Commodore Wilmot.

Sir, *Benin River, June* 21, 1865.

I BEG to inform you that since my last the Warree people have paid the remaining five puncheons of palm oil, making in all twenty-five puncheons, imposed by Commodore Wilmot in January last.

The natives being anything but amiable, we are looking anxiously for your promised visit about July next.

On behalf of the other Europeans and self.

I am, &c.
(Signed) EDWARD GOLDSTONE,
Resident Agent to Messrs. C. Horsfall and Sons, Liverpool.

No. 80.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.) "*Rattlesnake*," *Ascension, October* 23, 1865.

I HAVE the honour to report to their Lordships that I have given permission for Mr. Maxwell, Assistant-Paymaster in charge of the "Investigator," to relieve Lieutenant Bourchier, Royal Marine Light Infantry, in charge of the duties up the Niger.

I inclose, for their Lordships' information, copy of my instructions to Lieutenant Bourchier when he went up the Niger last year.

Inclosure in No. 80.

Instructions addressed to Lieutenant Bourchier, R.M., L.I.

By Arthur Parry Eardley Wilmot, Esq., &c., &c.

1. HIS Excellency the Lieutenant-Governor of Lagos has been directed by Her Majesty's Government to leave some intelligent and responsible person in the Niger during the absence of Dr. Baikie in England, and having no one at his disposal to place in this highly important position, he has earnestly solicited me to allow you to remain behind.

2. As you have volunteered for this service, and expressed your willingness to undertake the duties connected with it, I have no difficulty in granting his request.

3. The position of Dr. Baikie in the River Niger has been one which for several years past has elicited the interest and attention of Her Majesty's Government, and I cannot too highly impress upon you the great necessity of adopting that line of public conduct which appears to have been so eminently successful on his part.

4. You will be there as an English officer by yourself amongst Kings, Chiefs, and tribes that have only lately had the advantage of intercourse with civilized countries, but who have evinced decided inclination to be on friendly terms with the white man—particularly the English.

5. Many of these are willing to receive the precepts of that religion which, above all others, teaches man the advantages of civilization, with its attendant benefits of agriculture and commerce.

6. It will be your duty to point out these advantages to them, and to show that no nation in the whole world, whether black or white, can possibly attain to anything approaching happiness or prosperity unless the minds of the inhabitants are turned to the cultivation of the ground and the products that can be obtained by the labour of man.

7. The exchange of these commodities, which peculiarly belongs to different countries, is so highly beneficial in many ways, and becomes actually necessary as civilization advances.

8. The climate and soil are different in all parts of the world, and hence the products must be different; also, what will grow in Africa will not thrive in the colder regions of the north, and consequently mutual benefits are obtained as friendly intercourse is established.

5. England's great desire is to promote the happiness and prosperity of Africa by teaching the natives the advantages of commerce, and turning their minds towards a better state of things than at present exists amongst them.

10. You must use forbearance, temper, judgment, and kindness of feeling in your dealings with these people, who live in a state of moral bondage on account of their own ignorance and superstition, as well as that of their forefathers, and consequently cannot be expected to be emancipated from those evils without much trouble, labour, and time.

11. You will correspond direct with Her Majesty's Government by every opportunity, as Dr. Baikie has been accustomed to do; and you will, as occasions offer, acquaint me with your movements.

12. I pray that you may be kept in safety, and that your exertions in the good cause may be crowned with success.

13. The Government have sent out a great number of articles of different descriptions to Dr. Baikie for the purpose of paying off his debts and for future contingencies. What is not required for the first of these objects will, I presume, be handed over to you.

Given on board the "Rattlesnake," off the Hau, the 29th day of August, 1864.

(Signed) A. P. EARDLEY WILMOT.

To Henry Seton Bourchier, Esq.,
Lieutenant, Royal Marines (L.I.), Her Majesty's ship "Rattlesnake,"
About to proceed to relieve Dr. R. Baikie, R.N., in charge of the Niger Expedition.

No. 81.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, "*Rattlesnake*," *Ascension, November* 12, 1865.

I HAVE the honour to report, for the information of their Lordships, that a brigantine called the "*Amelia*," eighty days out from Spain, fully equipped for the Slave Trade, with no colours or papers, was captured on the 6th October last, off Mangue Grande (Southern division) by the "Ranger" and "Jaseur."

The luggage of the Captain and mate had Cadiz railway labels on it. The vessel was very well found in every way, with two new suits of sails, &c.

She has been sent to St. Helena for adjudication.

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

No. 82.

Commodore Wilmot to the Secretary to the Admiralty.

Sir, *"Rattlesnake," Ascension, November* 14, 1865.

I HEREWITH forward, for the information of their Lordships, reports from Lieutenant Henry S. Sandys, late Acting Commander of the "Ranger" relative to the detention and subsequent release by the Mixed Commission Court at St. Pauls de Loanda of the Portuguese brig "Maria."

I have, &c.

(Signed) A. P. EARDLEY WILMOT.

Inclosure 1 in No. 82.

Lieutenant Sandys to Commodore Wilmot.

Sir, *"Archer," Ascension, November* 6, 1865.

WITH reference to my letter, relative to the detention of the Portuguese brig "Maria," I have further to report that she was released by the Mixed Commission Court at St. Paul de Loanda, on the 17th October.

The British Commissioner ruling that all expenses should be paid by the owners of the "Maria," the Portuguese Commissioner, on the contrary, allowing damages.

The Portuguese Arbitrator was called in and decided for damages. The amount of the damages was not decided on Her Majesty ship "Archer" leaving St. Paul de Loanda.

I have, &c.

(Signed) H. STAIR SANDYS.

Inclosure 2 in No. 82.

Lieutenant Sandys to Commodore Wilmot.

Sir, *"Archer," Ascension November* 10, 1865.

IN compliance with your order of this day's date, I have the honour to inform you that on the 2nd of September, whilst steaming from Cabenda to the River Congo, shortly before noon, I observed a Portuguese brig at anchor, off Vista, and dangerously close to the shore. On observing us the brig fired a gun and hoisted her colours half-mast.

About 2 P.M. I anchored as close to the brig as was prudent and dispatched boats to her assistance, giving orders to Lieutenant Bosanquet to search her thoroughly, as I supposed her to be the Portuguese brig of which I had heard as being very suspicious.

The boats returned about sunset, Lieutenant Bosanquet reporting the brig to be the "*Maria*" (as I had supposed) and very suspicious, having on board a large quantity of water without proper papers, the amount about 14 tons, 300 arobas, or 4 tons 5 cwt. of carravances, a large range, capable with the proper boilers of cooking for a large number of men, boilers larger than requisite for the crew, one of which $6\frac{1}{2}$ gallons, was found in the after hold covered by cargo, and a large number of cocoa nuts in the hold. The log showed that the course of the vessel had been changed for the Congo shortly after her departure from St. Thomas, she having cleared for St. Paul de Loanda, the reason assigned being want of ballast; the vessel at the time being but six or eight hours sail from St. Thomas, whither she could easily have returned for ballast, instead of performing a voyage of twenty days in light trim to the Congo. During the 3rd of September the boats again rendered assistance, and after some trouble the "*Maria*" was rescued from her dangerous position and towed by the "Ranger" to Banana. Lieutenant Bosanquet had detained the "*Maria*" in the early part of the forenoon, my orders to him being to do so, should he be of opinion on further search that she was about to be engaged in the slave trade. On arrival at Banana I reported the fact of the "*Maria's*" detention to Commander Erskine, of the "Speedwell." On the morning of the 4th I personally examined the "*Maria*," and, concurring with Lieutenant Bosanquet, detained her, reporting the matter to Captain Marten, of the "Archer," by letter. On the 7th September (having been superseded in the command of the "Ranger" by Commander Nelson), the "Ranger" took the "*Maria*" in tow, and proceeded to St. Paul de Loanda, arriving there on the night of the 8th. The "*Maria*" was put in the Mixed Commission Court as soon as possible and a lawyer employed, but though every exertion was used the "*Maria*" was released as reported.

The trial was somewhat prolonged, owing to the departure of the Governor of Angola, who sat as Portuguese Commissioner, and was succeeded by the President of the Council of Government; the turning over of the affairs of Government preventing the Court from sitting.

I have, &c.

(Signed) H. STAIR SANDYS.

No. 83.

Commodore Wilmot to the Secretary to the Admiralty.

(Extract.) "*Rattlesnake*," *Sierra Leone, December* 19, 1865.

A VERY short letter will suffice for my Report on the state of the Slave Trade for the present year.

Their Lordships are already in possession of Commander Ruxton's Report to me upon the state of the Slave Trade and legal trade on the Northern Division.

Bights Division.

The Slave Trade in this division, in consequence of the close blockade established and carried out, is virtually at an end. There has been no shipment of slaves from thence during the past year.

The use of the "Vindictive" at Jellah Coffee is forcibly illustrated by the following paragraphs from Commander Richards, of the "Dart," dated Lagos, July 26, 1865:—

"The 'Vindictive,' stationed at Jellah Coffee, besides her usefulness as a depôt of coals and provisions for the squadron, is calculated, with the assistance of her boats, to guard the coast between her anchorage and Porto Seguro, thereby reducing the cruizing ground by one-fourth, and enabling the squadron to concentrate upon the more active slave-shipping stations in such a manner as to leave the steamers (which are the only vessels employed in the Bights Slave Trade) very little opening to effect their object. No attempt whatever has been made to effect a shipment during the period embraced in this Report.

"The system of blockade by cruizers at anchor, generally within signal distance of each other, is the most effectual that can be adopted for the prevention of the Traffic. But this successful result is obtained at a very great cost to the officers and crews employed upon this service, which is beyond all question the most wearisome, monotonous, and thoroughly prostrating and dispiriting duty which the crews of Her Majesty's ships have to undergo in any part of the known world."

I need scarcely say to their Lordships that I most thoroughly coincide in Commander Richards' opinion upon this subject; and I cannot but again place on record here my high admiration of the excellent qualities displayed by the commanders in particular, as well as those of the officers and crews of the squadron forming this portion of the station.

Commander Maitland, of the "Landrail," says, that "the Slave Trade on this division of the station is virtually at an end, owing, I have no doubt, to your admirable arrangement in making the squadron a blockading one."

Commander Peile, of the "Espoir," says, "the Traffic in Slaves has almost, if not entirely, ceased in this division."

Commander Jones, of the "Sparrow," says, "that no Slave Trade has been carried on during the last six months on the stations I have been cruizing off in the Bights."

It will be obvious to their Lordships that if the blockading force is kept up to the numbers I have hitherto been able to station there, the Slave Trade will soon become a traditional story.

Commander Richards, of the "Dart," the senior officer of this division for the greater part of the past year, is well entitled to the consideration of their Lordships for the zeal and energy displayed by him in the performance of his arduous duties.

Commander Richards reports that the palm-oil trade has been very brisk latterly, and there are on the average about fifteen vessels distributed along the line of slave coast before mentioned, one-half of which are English and the remainder French and Portuguese; he estimates the aggregate tonnage of these vessels at 3,500.

The palm-nut kernel is becoming an article of export, as a purer kind of oil is extracted from it, but it has to be crushed by machinery. Several shiploads of this nut have been sent to France. There is a man at Lagos (Mr. Gill, late engineer in our service) who has imported machinery for crushing the nut there.

The trade at Lagos has been very brisk latterly, and there was not in

July of this year, as reported by Commissioner Richards, sufficient tonnage to carry away the oil.

The senior officer of this division also reports that the trade in the oil rivers is now on so firm a basis that it has become as much an institution as the Slave Trade (which it has entirely uprooted) was before.

South Coast.

Captain Marten, of the "Archer," reports that the Slave Trade on this division is at a stand-still, but the Spanish and Portuguese Agents are still residing at the different factories along the coast, viz., Ambrizette, Mangue Grande, Moando, Llandano, Black Point, Loango, &c.

Commander Grubbe, of the "Jaseur," reports that a small schooner, named "*Impericimento*," built at Llandano, left that place in the early part of March last with about fifty slaves on board, under the command of Lucas, a well-known Portuguese slave-dealer, captured by the "Arrogant" in 1859. This schooner was found to be so leaky after being twenty-four hours at sea that she was obliged to return to Llandano and land the slaves again. She has since changed owners, and went to St. Pauls de Loanda in ballast to obtain legal trading papers.

The greater number of the heretofore slave-dealers are now engaged in a limited palm oil trade, and are useful agents for the Dutch factory at Futila, which does a thriving business. A new factory has been established at Cabenda by the company of African merchants.

Acting Commander Foote, of the "Speedwell," reports that the Slave Trade on this coast is very dull, in fact, dying out.

The dealers are unable to buy slaves, and just existing on the proceeds of a small trade in ground nuts and palm oil.

Only one shipment of slaves has taken place from this division during the past year, and this has been effected under the most remarkable circumstances. For three years past 600 slaves have been collected together for shipment at Mangue Grande, but in consequence of the vigilance of the squadron no opportunity has been given to the slave-dealer for carrying out his object.

In August last these slaves had become so terrible a burden to the dealer that he was forced to send them away at any price, he could not afford to keep them longer; and it so happened that a brigantine appeared most opportunely off his place at the very moment that he was about to get rid of them. I have received information that this dealer told the Master of the brigantine on board which they were shipped that they must go, and that he did not care if they were captured the following day.

I need scarcely say how sorry I am that, at the last moment when success is all but complete, this vessel* should have evaded our cruizers and escaped to tell the story of her success.

Captain Marten reports that she must have passed very near the "Pioneer."

The "Jaseur" and "Ranger" captured a Spanish brigantine, eighty days from Cadiz, on 6th October, off Mangue Grande, in latitude 6° 33′ south, longitude 12° 10′ east, fully equipped for the Slave Trade. This vessel was well found in every way, and the luggage of the Master and Mate had the Cadiz Railway labels on it. She was taken without colours or papers, and has been sent to St. Helena for adjudication.

The Governor-General and Governors of the Portuguese Possessions on the south coast are now, I firmly believe, most sincere in their wishes as well as in their efforts to stop this Traffic. The new Governor of Benguella does not follow in the footsteps of his predecessors. I cannot speak too highly of the friendliness of disposition evinced by these gentlemen towards the officers and others of our squadron.

Legitimate Trade.—The greatest inducement for a further development of legal trade on this part of the coast will be the extending of the African line of mail steamers (as proposed by me to their Lordships two years ago) right down the coast to St. Pauls de Loando, which I have heard from the agents of the Company on this coast, is likely to be carried out.

The late operations in the Congo have effected a material change for the better, and I am inclined to think that the Chiefs, who until lately have existed by

* The slaves were captured by the Spanish authorities on their being landed in Cuba.

plunder and murder, will now turn their attention to the cultivation of palm oil and other things, as they have received a lesson not easily to be forgotten.

On all parts of the South Coast legal trade is increasing and exte ding its influence by degrees.

The squadron has been much reduced, and hence our success hazarded by the necessary withdrawal of the "Dart," "Zebra," and "Archer," without being relieved, while the "Pandora" and "Sparrow" have left the line of blockade in consequence of their turn arriving for recreation and refreshment at St. Helena.

To make the abolition of the Slave Trade a certain thing, the number of cruizers should always be kept up to what may be considered advisable to accomplish this object, including those intended as reliefs when required.

I have already laid before their Lordships my plan for doing this so that the blockade will never be interrupted, an outside vessel always ready to drop into the line made vacant by a necessary change. The slave-dealers are aware of the slightest movement amongst the blockading vessels, and would take advantage of an opening if they had the opportunity of doing so.

Commander Peile reports that many of the villages in the Bights are incorrectly placed on the charts with regard to longitude. It would be well if this part of the coast was re-surveyed.

I have no further observations to make except to congratulate their Lordships and the country upon the success of our squadron for the past three years.

P.S.—I have since heard that the vessel which escaped from the South Coast in August last with 600 slaves on board was captured off Cuba at the end of September.

Inclosure 1 in No. 83.

RETURN of Slavers Captured by Her Majesty's Cruizers on the West Coast of Africa, between January 1 and December 31, 1865.

Date of Sailing from last Port.	Name of Vessel.	Nation.	Rig.	Tons.	Owners.	Cargo.	Place of Shipment.	Number of Slaves.	By whom Captured.	Date.	Place.
Unknown.	Said to be "Amelia"	Supposed to be Spanish.	Brigantine	170	Unknown	Caravances, rice, and water.	Mangue Grande	Unknown	"Jaseur" and "Ranger."	1865 Oct. 6	Off Mangue Grande.

(Signed) A. P. EARDLEY WILMOT, *Commodore.*

"*Rattlesnake*," *Sierra Leone, December* 19, 1865.

Inclosure 2 in No. 83.

RETURN of Vessels which are said to have Escaped with Slaves from the West Coast of Africa, between January 1 and December 31, 1865.

Date of Sailing from last Port.	Name of Vessel.	Nation.	Rig.	Tons.	Owners.	Cargo.	Place where Slaves were Shipped.	Date of Shipment.	Remarks.
Unknown ...	Unknown ...	Unknown ...	Brigantine .	Unknown ...	Unknown ...	600 slaves ...	Mangue Grande	1865. August ...	Captured off Cuba, at the end of September.

(Signed) A. P. EARDLEY WILMOT, *Commodore Commanding.*

"*Rattlesnake*," *at Sierra Leone, December* 19, 1865.

EAST COAST OF AFRICA STATION.

No. 84.

Commander Chapman to Rear-Admiral Sir B. Walker.

Sir, "*Ariel*," *at Sea, June* 30, 1864.

IN compliance with the Instructions for the suppression of the Slave Trade, I have the honour to report as follows: European Slave Trade has, I imagine, taken a fresh start during the last six months, and it is reported that a Spanish barque has left the coast with a full cargo, by name "*Duc de Tetuan*," as also a brig: the former, it is said, has shipped near or at Inhambane; she had been previously fallen in with by some of the cruizers. The detention and sending of the "*America*" (Spanish ship of 602 tons) to a port of adjudication on the 5th April last, by this ship, will doubtless, in a great measure, check this nefarious Traffic; she, as well as the vessels now suspected, being all owned by a noted house in Cadiz.

On the north-west coast of Madagascar the Traffic still continues; and I imagine many a slave finds his way to Mayotta and Nos Beh under the name of passenger or engagé, but literally a purchased slave.

At Zanzibar this year a new clause in the Treaty came into operation, viz., the carrying of slaves by water by the Sultan's subjects, from the 1st of January to the 1st of May, was prohibited under a severe penalty; this, I fear, greatly added to the sufferings of the slaves awaiting transport at Quiloa to Zanzibar, and when the term expired, dhows crowded to excess arrived at Zanzibar, some with 350 slaves on board; these in smaller numbers were conveyed to Pemba in Sultan's subjects' dhows, but no one who knows the system carried out in spite of Treaties, &c., doubts for a moment their ultimate destination, viz., to be shipped in northern dhows and carried to the Red Sea and Persian Gulf during the latter end of the monsoon, about August and September. A great number of slaves have also been carried north at the commencement of the monsoon, the slaves in many cases being shipped at Zanzibar in spite of the Sultan endeavouing to prevent it; himself is, I think, anxious to carry out the Treaty, but not one other person in the whole of his dominions. I pointed out to Her Britannic Majesty's Consul and Political Agent that the present system of papers provided by His Highness and signed by him was perfectly useless. Dhows are fallen in with all over the Mozambique not belonging to His Highness' subjects, possessing Arabic passes, some with Her Majesty's Consul's at Zanzibar signature thereon, sometimes two or three years old, but with no further information a to where they were from, present occupation, number of crew, passengers, &c.; it is therefore useless the Consul signing passes whereon there is no explanation whatever as to the Arab pass, which requires an interpreter to translate, who cannot always be relied on. I am happy to say that Her Majesty's Consul fell into the views entertained by Captain Iago, of Her Majesty's ship "Rapid," and myself on this subject, and he informed me His Highness purposes to have proper passes printed at Bombay both in Arabic and English, and viséd by him, for each successive trip from Zanzibar; by this means, and this only, do I see any probability of checking the unauthorized carrying of slaves. Should this system be properly carried out, it will be seen immediately on boarding a dhow whether she is legally employed or otherwise, and the services of an interpreter, who is always open to bribery, will in some measure be dispensed with; moreover it will prevent dhows being delayed on their voyage and the probability of illegal seizures.

I have, &c.

(Signed) W. C. CHAPMAN

No. 85.

Captain Gardner to Rear-Admiral Sir B. Walker.

"*Orestes*," *at Anchor, Lat.* 3° 1′ *N., Long.* 46° 44′ *E.,*
Sir, *September* 15, 1864.

I HAVE the honour to inform you that on the 14th instant when standing in for the land, about ninety miles north-east of Magadoxa, soon after daylight a dhow was reported from the masthead to windward, and running down for the ship. At 7·30 she was observed to haul in for the land; steam was got up as soon as possible in chase, but although we got within gun-shot we were not able to prevent her running on the beach. The ship herself having run into shallow water, was anchored at 2,800 yards outside the dhow.

A large number of negroes, many of them women and children, were observed to reach the shore.

I lost no time in sending in the boats under Lieutenants Lang and Blake for the purpose of measuring and destroying the dhow; but observing that the surf was running so high that this service could not be performed without endangering one of the boats and the lives of the crew, I recalled the boats and opened fire on the dhow until she was completely destroyed.

I inclose the Report of Lieutenants Lang and Blake.

I have, &c.
(Signed) ALAN GARDNER.

Inclosure in No. 85.

Acting Lieutenants Lang and Blake to Captain Gardner.

"*Orestes*," *at Anchor off the Somali Coast, Lat.* 3° 0′ *N., Long.* 46° 30′ *E.,*
Sir, *September* 14, 1864.

IN pursuance of your orders we left the ship in charge of both cutters to measure and destroy a Budeen dhow that had run on shore to avoid capture by the ship. On arriving at about 200 yards from the shore we observed about 130 black men, women and children, landing from the dhow.

The heavy sea that was running and breaking over the dhow would have rendered the destruction of the boats certain had they attempted to board her.

We therefore brought our boats to an anchor outside the surf, and remained until recalled from the ship.

This dhow appeared to be of unusually large size, larger than the biggest of those burnt by the boats of this ship in Pemba last year, the tonnage of which was found by calculation to be 84 tons.

We are of opinion this dhow was at least 60 feet in length and of 90 tons burthen.

We have, &c.
(Signed) W. M. LANG.
CHAS. A. BLAKE.

No. 86.

Commander Parr to the Secretary to the Admiralty.

Sir, "*Lyra*," *Seychelles, December* 23, 1864.

I HAVE the honour to transmit herewith, for the information of the Lords Commissioners of the Admiralty, a duplicate of my Report to the Senior Officer on this station (Captain Gardner of the "Orestes"), respecting an unfortunate accident that occurred to the cutter of Her Majesty's ship under my command on the 3rd ultimo, which resulted in the loss of the boat, the supposed loss of two of her crew, and one man seriously wounded.

My object in forwarding this Report is with a view of placing the facts of the case before their Lordships, in the event of inquiries being made at the Admiralty respecting the two missing men, whose fate has not yet been ascertained for certain, as private information respecting the accidents will doubtless be sent home by this mail, and it may be some time before the official communication could reach England through the regular channel.

There can I fear be little doubt with regard to the fate of the two men (named in the margin)*, as if alive they would in my opinion have inevitably fallen into the hands of the Chief Mousa, and thus have been recovered with the others; but all uncertainty will shortly be removed, as the Governor-General of Mozambique has taken steps to ascertain the truth, and the Chief Mousa, who is evidently in power

* W. M. Welsh, Ordinary Seaman; William Saul, Private, Royal Marine Light Infantry.

near the place where the accident occurred, has also promised to find out what has become of them.

I have, &c.
(Signed) ROBERT A. PARR.

Inclosure 1 in No. 86.

Commander Parr to Captain Gardner.

Sir, "*Lyra*," *Mozambique, November* 2, 1864.

I HAVE the honour to report that in pursuance of your orders I left Zanzibar on 8th October, and proceeded to examine Querimba Islands, and along the coast to Conducia Bay, off which port I sent the cutter and whaler of this ship in charge of Lieutenant Reed, a copy of whose instructions I beg to inclose. I arrived at Mozambique on the 20th instant, it being the same day on which I had sent the boats away. I waited at Mozambique until the 22nd ultimo, and thinking the boats had been delayed by some unforeseen occurrence, I proceeded back to Conducia, and went up the river in my gig to gain intelligence; but not getting any, I then proceeded to St. Antonio River, thinking that they might have missed both Conducia and Mozambique. I examined Antonio River, but without any information of the missing boats (the particulars of my visit to this port are detailed in my letter of 24th October, 1864). I then went on to Angoxa River, but with the same result.

2. Thinking that by this time some intelligence might have been obtained at Mozambique of the boats, I proceeded there, and arrived on the 28th instant. On reporting the circumstances of the case to the Governor of that port, and asking him for any assistance that he might be able to give me to gain intelligence of the boats, he lent me a small steamer for the purpose of examining with greater facility the rivers and inlets near where the boats were likely to be. I accepted this offer, and on the 30th instant proceeded north again, examining Fernan Veloso Bay and River, Kissamajula Bay, Conducia Bay and River once again, and the whole of the coast between those ports, but without gaining any intelligence on which reliance might be placed.

3. I returned to Mozambique this day (2nd November), and delivered the steamer over to the Governor-General.

4. I intend to sail from this port at daybreak to-morrow, and examine every bay and inlet between this port and Quilimane.

I have, &c.
(Signed) ROBERT A. PARR.

Inclosure 2 in No. 86.

Orders addressed to Lieutenant Reed.

Memo. "*Lyra*," *at Sea, October* 19, 1864.

YOU will proceed in the cutter of this ship, victualled for seven days, taking the whaler under your orders, with Mr. Barrett, victualled for the same period, and examine the Conducia Bay, and also the mouth of the river, taking care to return to the bay so as to insure your crews sleeping there. I shall perhaps see you at Conducia, but if not, come to Mozambique. You will be guided in all your proceedings by the instructions in your possession, and be very careful in your examinations, as Conducia Bay and River are said to be carrying on an extensive Slave Trade. Leave the ship as soon as possible after daylight, taking the interpreter with you.

(Signed) ROBERT A. PARR, *Commander*.

To Lieutenant George H. B. Reed,
Her Majesty's ship "Lyra."

Inclosure 3 in No. 86.

Commander Parr to Captain Gardner.

Sir, "*Lyra*," *at Zanzibar, December* 6, 1864.

IN continuation of the proceedings reported in my letter of the 2nd ultimo, I have the honour to acquaint you that I proceeded the following morning to the southward, with the object of searching the bays, &c., for the missing boats.

2. At about 2 P.M., the same day, the whaler was met making the best of her way to Mozambique. Mr. Barrett, the officer in charge, informed me that Lieutenant Reed, in the cutter, in company with a dhow which they had captured on the 24th instant, was at Angoxa, where they had put in for food and water, and as the dhow, being a dull sailer, would not make any headway against the northerly monsoon, he had ordered Mr. Barrett to proceed alone to Mozambique to gain the ship, or ask assistance from the Portuguese authorities if the ship should not be there.

I proceeded at once along the coast towards the place indicated by Mr. Barrett, and at about 5·30 P.M. a dhow was seen bearing towards the ship from the shore; she proved to be the one captured by the boats. Mr. White, assistant engineer, who had accompanied Mr. Reed in the cutter, was in charge of the dhow; he came on board and reported that Mr. Reed had landed in the cutter to procure water, and that he (Mr. White) had seen the boat swamped; just at that time Mr. White saw the ship heave in sight, and at once stood out in the dhow to get assistance, not knowing for certain at the time that it was the "Lyra." It being then quite dusk I anchored as near possible to the spot where the boat was supposed to have swamped (Mamula Gotto, near Magincale River), and sent a boat in at daylight next morning to bring off the cutter's crew.

4. It appears by Mr. Reed's report (inclosed herewith) that during the night the natives had attacked them, they being quite defenceless in consequence of the loss of all their arms and ammunition when the boat filled. The boat sent from the ship brought off four men, one of whom was shot through the mouth, the other three were

unhurt, except a few contusions from the rocks, and their statements I beg to append hereto. Kellaway, the man who was shot, is unable to speak, and therefore his account cannot be obtained.

5. The persons named in the margin* were then missing from the cutter's crew; I therefore lost no time in landing with the boats, armed, and after some trouble, prevailed on two of the natives to come near us; they said that the missing persons were alive and with their king, who was a friend to the English. As from the way in which they were attacked, I had great reason to supposed that the natives were anything but friendly, I gave them to understand that unless the officer and men were produced at once, or at latest at daybreak the following morning, I would fire on the place. They did not produce them that day, and I went on shore again next morning at 5 A.M., when not seeing any sign of a native or any appearance of their complying with my demand, I fired one or two rockets, which, however, did very little damage, there being no huts visible from the boats.

6. On landing, the cutter was seen on the beach, completely gutted, and stripped of everything in the shape of metal that the natives could get off her, besides being stove in three or four places and cut about to such an extent that any idea of saving her was out of the question; I was therefore compelled to leave her remains on the beach.

7. As it was possible that Mr. Reed and the others were alive, I did not consider it prudent to take any more active measures then, as it might endanger their lives; I therefore proceeded to Mokamba Bay, and had an interview with the King there, who very promptly, at my request, sent a messenger to inquire after their fate, and I then went to Mozambique to await his return. I arrived there on the 7th November.

8. On informing the Governor-General of Mozambique of what had happened, he immediately sent messengers to his troops stationed in the neighbourhood, with orders to them to demand the release of the men, and he seemed most anxious to render all the assistance in his power.

9. On the evening of the 12th instant, the boat which I had sent to Mokamba Bay brought back a messenger with a letter from Mr. Reed, a copy of which is inclosed, upon which I left the following morning early for Antonio River, where Mr. Reed was supposed to be, and arrived off there the same evening. The next day I proceeded up the river in the boats, and on reaching the town (Shangady) was met by Mr. Reed and the two men with him, viz., the interpreter and the Krooman. The captain of the dhow and one of her crew who landed from the cutter had been with Mr. Reed up to this time, but neither were forthcoming on our arrival.

10. It appears that the Arab Chief Mousa has treated Mr. Reed and the others who fell into his hands with great kindness, and in a manner which certainly accords with his profession of being a friend to the English. This is the same person whom the Governor of Mozambique refers to in his letter of the 30th October, 1864 (Inclosure No. 3 in my letter of the 7th November), speaking of him as a rebel: "Mousa has evidently, from Mr. Reed's account, great power on this part of the coast, and owns the allegiance of no less than 130 minor Chiefs and a population of about 35,000 men (a great number of whom are armed). He is desirous of being recognized as an independent Power, and to have a Treaty with Great Britain relative to the Slave Trade," &c.

11. I left Antonio River the next morning (the 15th instant), having been treated with great civility by the Chief Mousa, and arrived at Mozambique on the morning of the next day.

12. No positive information could be obtained relative to the fate of the two men still missing (named in the margin†), although from the statement of Peter Newman, the Krooman, herewith inclosed, and from inquiries made at St. Antonio, I fear little doubt exists as to their being dead. The Chief Mousa has promised to make every effort to find out what has become of them, and the Governor-General of Mozambique (under whose authority the natives on that part of the coast are supposed to be) has also taken steps to discover their fate. I did not consider it necessary, therefore, to remain longer at Mozambique. I left, accordingly, for Johanna the next day. I stood across to Madagascar, and anchored on the 22nd ultimo at Bembatooka Bay, and left on the 23rd instant, and then cruized along the land to the northward until the 25th instant, when I reached Suza River. I proceeded up it about seven miles, but saw nothing to indicate slaving. I anchored that night at the mouth of the river, and left the next morning for Pomony, where I arrived on the 29th instant; and after taking the stores from the depôt there, I sailed for Zanzibar on the 1st December, 1864, and arrived here this date.

13. As yet no retribution has been inflicted on the perpetrators of the outrage, it being difficult to ascertain the exact tribe to which they belong. Their crime consists of murderously assaulting a boat's crew thrown perfectly defenceless on their shore, and stealing everything they could lay their hands on, belonging either to the men or the boat, and the boat itself destroyed. A list of the stores lost on the occasion is inserted in the copy of the log on the 5th instant.

I have, &c.
(Signed) ROBERT A. PARR.

Inclosure 4 in No. 86.

Statement of Thomas Gadd.

Off Magincale Point, November 6, 1864.

AFTER having some of the breakers filled, and most of the hands were on board, a heavy sea filled the boat and put her on her beam ends; it washed Mr. Reed and the marine and interpreter out of her. The sea broke over her so fast that the rest of the crew were obliged to take the water to save themselves. After landing, the gear of the boat was gathered together as much as could be. After the gear had been brought under the bushes, close ahead of a canoe, it was spread out to dry. After we had been sitting down some time, about an hour after landing, two negroes came to us from the southward and spoke to the interpreter, who asked them to get some fire; they said they could not get any, as they had just landed on the island and were then on their way to Mozambique, and they did not know where to get any fire; and after they had gone (about dûsk) four more natives came down, but they seemed to belong to a different party, as they seemed to be surprised at our being there; they were armed with spears; they did not speak to us, but turned round and went away again into the bush. About 8 o'clock the natives came down in twos and threes, out of the bush, until they amounted to about forty or fifty; they spoke to the interpreter and captain of dhow, and said that they thought we had come to burn their villages, and that they had come out to fight us to prevent our doing so. The interpreter told them that we had been on shore for water, but our boat had been swamped, but that we intended to go off on the morning. The interpreter told us that we

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* Lieutenant Reed; William Saul, Private Royal Marine Light Infantry; William Welsh, Ordinary; Peter Newman, Krooman; Ali Benhomet, Interpreter.

† William Saul, Private, Royal Marine Light Infantry; William Welsh, Ordinary.

need not fear anything, as the natives did not intend to do us any harm, and if we kept away from them and stayed by ourselves they would not molest us, but that they intended to keep their men on the shore all night. We moved away, all of us; but after a time they came to where we were, and began to take our blanket, clothing, &c. Mr. Reed told the interpreter to tell them not to do so. The interpreter told the Chief about it, and he came down and ordered them away. They went away for a time, but afterwards came down, two or three at a time, and tried to take the gear away. The interpreter was talking to some of them, and Mr. Reed went up to him and spoke to the interpreter. We were all sitting down at the time. Mr. Reed had not been gone long when he sung out, "Men to the rescue." We all rushed towards him, but the only weapons we had to defend ourselves with were rocket staves. When we got nearly up to them, Mr. Reed sung out, "Not yet; not yet." We all stopped at the minute. We found he did not call out again, so we called to him by name. We found he did not answer, and we then called to the interpreter, and he did not answer. The natives were waving their spears and rifles about, and we defended ourselves as well as possible with the rocket staves. We were driven back to the water, and the tide going out we made for the cutter to see if we could get any more arms. We got two or three cutlasses. Two or three of us tried to get the boat off, while the rest tried to keep the natives off. They retreated a little way, as they found the surf rather high, and then they began firing rifles at us; then it was that Kellaway was shot in the boat; he was one of the number who were in her trying to get her off. Then we all tried to save ourselves as best we could. Kellaway, Welsh, Stafford, and myself tried to get along the surf past the place where the natives were. Kellaway and Welsh left Stafford and me, and said they would try for the ship. They commenced to swim away from us and we saw no more of them that night. Stafford and I kept in the water about a mile or two to the southward; the natives must have lost sight of us in the darkness, and we made for the shore and got into a bush, and there we stayed until daylight and then came down to see if any boat came from the ship. Finding none, we tried to launch a couple of canoes, but both sunk, being leaky. Then we kept along the beach, to the southward still, until we saw the boat. We waved to the boat until they saw us, and as they came towards us we took to the water, as the natives began to come in sight again along the beach. The reason of our being naked was owing to the difficulty we found in wading the night before.

I saw nothing more of Mr. Reed from the time he went amongst the natives, as he told us then not to follow him, as the interpreter told him it would only make the natives suspicious.

I do not know whether Mr. Reed was wounded by the natives or not. I should think not, as they had not time to do anything more than gag him; as from the time he sung out "not yet," until we called to him by name, hardly a minute could have elapsed.

(Signed) THOMAS GADD, *Ordinary.*

Inclosure 5 in No. 86.

Lieutenant Reed to Commander Parr.

Sir, *Shangady, November* 8, 1864.

I HAVE the honour to report my arrival at this place on the 5th instant, having been conducted hither by the order of Mousa, the Arab Governor of this district, under whose protection I am now residing. He provides me with clothes, food, &c., and is in every way kind and hospitable; he is particularly anxious to have a personal interview with you previous to setting out on an excursion against the perpetrators of the outrage; he is well known to Captain Oldfield, and professes to be an ally of Great Britain. I despatched a letter to you at Mamula Golto (the scene of the disaster), on the 6th instant, but it returned to-day, you having left. This town is a few miles up a river, at the mouth of which you will, I believe, find an anchorage. Ali, Peter Newman, the captain, and a seaman of the dhow are with me. This goes overland to Mozambique, as Mousa has no dhow at present. Mousa is using every exertion to recover such property as may have been stolen, and promises eventually that everything shall be restored and the offenders punished. Reserving my detailed report for a future occasion, I have, &c.

(Signed) GEORGE H. B. REED.

P.S. The bearer is named Swally, and belongs to Mousa; the other interpreter will understandhim. Will you bring him back here in the ship? Mousa desires me to say he hopes you will come quickly, as he wants to go to fight the breakers of the peace. He signs his name.

Inclosure 6 in No. 86.

Lieutenant Reed to Commander Parr.

Sir, "*Lyra*," *at Sea, November* 15, 1864.

I HAVE the honour to report that, in pursuance of your orders of the preceding day, I left the ship on the 20th instant at daylight in the cutter, accompanied by the whaler, the latter being in the charge of Mr. Barrett, master's assistant. I sighted the land soon after sunrise, steering north-west by north, but had little wind till the afternoon, when it freshened, and later in the day blew a stiff breeze. About 3 P.M. I entered a bay which I concluded was Conducia; the interpreter recognized it, and said he had been there before; this afterwards proved to be Mokamba Bay. After a careful examination I anchored for the night. On the following day I went some four or five miles up a river, but found nothing. I boarded two dhows in the bay, and proceeded to beat out, anchoring for the night under the lee of the land. On the 22nd instant I stood to the southward. Not sighting Mozambique I stood on, thinking it possible that the bay I had been in might be Fernan Veloso. I failed in obtaining the latitude, and the weather proving bad, beating back was out of the question. I anchored that night a few miles to the southward of Mudge-quali River; on the 23rd instant I landed on Mafornedi Island, and anchored that night abreast of it; I landed here on the 24th ultimo to look for water, and obtained a small supply. I was told by the natives that there was a Portuguese town near called Goongi; this afterwards proved to be Angoachee. I stood on and sighted a dhow; sent the whaler in chase; the dhow stood in for the land, and I proceeded to cut her off; the whaler getting up with her detained her, and on examination finding that she had no papers or flag, and carrying 35 slaves, I considered her a legal prize, and placed Mr. Barrett and three men on board her.

During the two following days I had little wind, and a strong current setting north, so that I made but little way. On the 26th instant I endeavoured to land to obtain water, but the surf was too heavy. That night it blew

and rained violently, the cutter and dhow dragging their anchors, the latter for nearly a mile. On the 27th I stood back for Angoache, and the weather being very bad, I crossed a bar and entered a branch of Angoache River. Some few miles up I passed close to a fort; no colours being displayed, I was surprised to see the guns loaded and laid for the boats, at the same time signals being made to us to stop. Recognizing the Portuguese uniform I landed, and was told that no vessel could pass without permission from the Governor of Angoache. The non-commissioned officer in charge of the stockade detained me for some time, but on my representing strongly that in so doing he was committing an outrage on a British officer, I was allowed to return to my boats. The Governor came down that night, and I waited on him the following morning. Apologizing for our detention, he offered every assistance in his power. Accordingly I proceeded up the river, and anchored off Angoache that afternoon. I here obtained provisions and water, signing a receipt in duplicate for the same, and arranging that the matter should be settled with the Governor-General of Mozambique. On the 29th ultimo I left, and proceeded down the larger branch of the river. During my stay two of the slaves absconded, and not being heard of or seen, it was supposed that they may have been drowned in their attempt to escape.

In Angoache Bay I boarded a Portuguese brig; she had experienced heavy weather outside. On the three following days I continued to beat up, making but little progress against the light winds and strong current.

On the 1st instant, being short of water, and my other supplies getting low, I despatched the whaler with Mr. Barrett towards Mozambique, with directions to pull when possible, and obtain assistance from the senior officer, or (in his absence) from the Governor-General. On the 3rd instant I was reduced to less than a barricoe of water, my people being some fifty in number; I accordingly anchored a few miles to the southward of Mudgequali River, and proceeded in the cutter with seven hands and the interpreter, captain, and a seaman of the dhow, in search of water. There was a considerable surf running, and this not directly on to the beach, but diagonally. I anchored and veered in, and we swam and waded on shore with the barricoes, leaving some hands in the boat to bale, &c. I found fresh water close to the beach, and we filled our barricoes and returned to the boat. I was in the boat as well as most of the crew, and we were all baling, for she was half full of water. Just as I was about to haul out to our anchor a heavy sea struck the boat and she filled. Another sea threw myself and some others out of the boat, and she being then on shore and completely swamped, I gave the order for the people to leave her, and save what they could. We accordingly landed, and collected such articles as floated, viz., sails, spars, &c.; we placed them above high-water mark.

About this time (past 5 P.M.) we sighted the ship standing to the southward, and I observed the dhow standing out to her. I made the signal, "Am not in want of immediate assistance," as, being apprehensive of no danger, I was unwilling that a boat should risk landing in the surf after dark. Soon after sunset we saw two natives who came from the northward. We spoke to them and they left, and probably communicated with others, for between 7 and 8 several appeared from the opposite direction. These were noisy, and apparently undecided whether to advance or retire. The interpreter and captors of the dhow went to meet them. I assembled my men near the spot where we had made arrangements for passing the night; we had only one pistol and that was wet; our arms and ammunition were lost, so I desired the men to arm themselves with rocket staves, stretchers, &c., and to keep perfectly quiet. The natives approached in some force; I went to meet them, and through the interpreter explained to the Chief that our intentions were amicable, and that we merely wished to pass the night there, and return to our ships next day. The Chief was not satisfied with this, and said that he believed we were going to burn a village in the vicinity. I suggested that he should draw his men off, leaving a guard to watch our movements, but he would not consent to this.

Soon after 8 the ship fired a rocket; on seeing this the natives began shouting and moving about uneasily; their number had now increased to (I should think) from 80 to 100. I observed a man standing behind me with a cord in his hand; I was then talking to the Chief, some few yards from where my men were, as I deemed it advisable to keep them clear of the natives, and, at the same time, to exhibit a certain amount of confidence. Seeing this man with the cord, I said quietly to the men, "Look out!" on which they sprang up; I then said, "Not yet, not yet," and turned to speak to the Chief again. The next moment a cord was round my neck, and I was borne down. I had barely time to say "Rescue!" and I saw my men rush to my assistance. I was then carried to the rear, and a number of natives passed between the boat's crew and myself. I afterwards heard firing on the beach, and was then removed to the background. My later movements being more intimately connected with myself, I detail them in another letter.

I have, &c.
(Signed) GEORGE H. B. REED.

Inclosure 7 in No. 86.

Lieutenant Reed to Commander Parr.

Sir, "*Lyra*," *at Sea, November* 15, 1864.

I HAVE the honour to report my movements subsequent to the unfortunate accident which occurred on the 3rd instant.

After I had been taken prisoner I was dragged some hundred yards to the rear, and when I was able to look up I saw uplifted weapons on all sides. My impression is that the dhow's captain spoke in my favour; at any rate I was not hurt, but taken a little further: I was then thrown on my face, and held down while my clothes were removed.

Having been stripped of everything excepting my shoes and socks, my wrists and elbows were secured behind my back, and I was taken further to the rear. It was from here that I heard the discharge of musketry. I should mention that a great number of natives possessed firearms, the remainder having spears, axes, &c. I was then marched inland over two ranges of hill and through the bush for more than an hour, when we arrived at a village, where I was supplied with a mat, and my bindings were removed. I had with me the interpreter and the Captain and a seaman of the dhow.

On the following morning a message arrived from Mousa, desiring that I should be sent to him at once, and all stolen property restored. Accordingly a little before noon we commenced our march under a guard of Mousa's people, occasionally stopping for refreshment. We passed through a varied country, chiefly bush, and well populated, until about 9 that evening, when we stopped at a village for the night.

I here heard with pleasure that all my boat's crew had got off, with the exception of one man (a black, Peter Newman), who was in the bush. On the 5th I heard that this man would meet me at Mousa's. We resumed our march, and about 3 P.M. arrived at a branch of the Antonio River. Here we embarked in a canoe, and soon after

8 arrived at Shangady. I was furnished with a house, bed, &c., and shortly afterwards Mousa came down to see me. He is the Arab Chief or Governor of this district, having 130 minor Chiefs under him, and naturally at enmity with the Portuguese.

Previous to his arrival Ali had been beaten by a man who fancied that he (Ali) had assisted the recent capture of some dhows. On my representing this Mousa placed the offender in confinement. Mousa then offered to do anything I wished, and wanted to send some hundred men to punish the people who had committed the outrage at Mudgequali. I requested him to wait until he had communicated with you.

On the 6th instant I sent through Mousa a letter to you to Mudgequali (and on this day Peter Newman arrived). This letter came back on the 8th instant, and I then sent one to Mozambique.

On the 13th instant you were reported in sight, and on the 14th instant, as you are aware, I met you. The captain and seaman of the dhow could not be found, and were stated to have absconded on the previous day.

In conclusion I beg to record in the highest terms the uniform kindness I have received at the hands of Mousa. He supplied me with food, lodging, clothing, &c., using every effort to obtain such things as were lost, and in fine has proved himself to be a well-wisher and faithful friend to Great Britain.

I am happy to report that the conduct of the men under my orders has been most satisfactory, and the state of their health excellent.

I am, &c.
(Signed) GEORGE H. B. REED.

Inclosure 8 in No. 86.

Statement of Peter Newman, Krooman.

AFTER Mr. Reed was taken I went to the boat. I was there when Kellaway was shot. I then left the boat, and went into the bush. I saw none of the crew in the bush. Next morning I was taken prisoner by the same party of natives. I saw them burying one man; I am sure he was a white man; I was about 100 feet from the grave. I think it was Welsh who was buried. The marine I think was shot in the boat, and fell over the side.

I was taken to the village, and about 12 o'clock (noon) I was taken to the Chief Mousa, where I found Mr. Reed. I did not hear of any one being shot.

(Signed) PETER NEWMAN, his ⋊ mark.

No. 87.

Commander Parr to the Secretary to the Admiralty.

Sir, "*Lyra*," *off St. Antonio River, October* 24, 1864.

I HAVE the honour to report that I have this day captured and destroyed two dhows, names unknown (one of which apparently was an Arab dhow and the other belonging to Madagascar), under the following circumstances:—

2. Having received information from the Governor of Mozambique that the Slave Trade was being carried on to a great extent in the neighbourhood of St. Antonio River, I arrived here last evening at 6·30 P.M., and proceeded up the river with my gig and the pinnace (the cutter and second gig being away from the ship on detached duty). I had not gone far before I observed two dhows, and on nearing the first one I saw men swimming on shore from her. I therefore boarded her, and found her fitted and prepared in every way for carrying slaves, having slave-decks, and a quantity of cassava root, water, and cooking utensils, &c. The crew having deserted, there being no flag, and finding no papers on board, I accordingly seized the vessel, and as she was not fit to proceed to a port of adjudication, I ordered her to be burnt, which Mr. Patter, gunner in charge of the pinnace, carried into execution.

3. In the meanwhile I had observed the crew of the other dhow taking on shore all they could from her, which excited my suspicious, and I therefore proceeded towards her, with the intention of ascertaing her condition, she having no flag flying. On approaching her, however, with this object, I was somewhat surprised at a party of men on shore opening fire on us; they kept up a continuous discharge of musketry on the boats and also fired a small gun, I should say about the size of a 6-pounder. Seeing this, I immediately ordered the second dhow to be boarded, and finding that she was fitted with a temporary slave-deck and that she had then two tanks of water remaining on board, although the crew had been removing everything they could during the seizure of the first dhow, and there being no papers to be found, I seized this vessel also, and as she was equally unfit to proceed to a port of adjudication, I gave similar directions for her to be destroyed.

4. The attacking force on shore appeared numerous, and well supplied with arms. We returned their fire from the boats, and I ordered Mr. Patter to discharge

some rockets amongst them from the pinnace, which he did with good effect; I am happy to state, however, that no casualties occurred amongst our men, some musket balls only being lodged in the pinnace's sides.

5. I feel it my duty to mention that Mr. Patter, gunner third class, conducted himself in a very steady and able manner whilst under a heavy fire, and carried out all my instructions with zeal and alacrity, to which I partly attribute the entire absence of any casualties amongst the boats' crews.

6. I observed, a little higher up the river, two dhows hauled up on shore, one of which had a French flag hoisted on board of her, but I did not consider it prudent to land the boats' crews to take any further steps with so large a force opposed to them.

7. I also saw under a large tree a number of tanks, and a great many blacks, who doubtless were slaves ready for embarkation, and some of them only recently removed from the two dhows which were destroyed.

I have, &c.
(Signed) ROBERT A. PARR.

No. 88.

Commander Parr to the Secretary to the Admiralty.

Sir, "*Lyra*," *at Mozambique, November* 17, 1864.

I HAVE the honour to report that the boats of Her Majesty's sloop under my command captured a dhow on the 24th October, 1864, in latitude 16° 35′ south, longitude 40° 30′ east, having neither papers nor colours, and having on board at the time of seizure 35 slaves.

I received the slaves on board for passage to a British settlement; the captain and one of the crew absconded at St. Antonio; the rest of the crew I landed at Mozambique at their own request. I destroyed the dhow by scuttling her, she being unfit to proceed to a port of adjudication.

I have, &c.
(Signed) ROBERT A. PARR.

No. 89.

Captain Gardner to Rear-Admiral Sir B. Walker.

"*Orestes*," *at Sea, Lat.* 30° 14′ *S., Long.* 32° 32′ *E.,*
Sir, *March* 24, 1865.

MY last Report on the Slave Trade on the East Coast was made on December 31st, to which I have now to add very little.

One capture of a dhow with slaves was made by the boats of this ship in the Bay of Kokotony, on the north of Zanzibar, on the ground that the Sultan has authorized Her Majesty's cruizers to capture vessels belonging to his subjects carrying slaves within his waters, between the 1st of January and the 1st of May, or if they are unprovided with proper papers, upon condition that such vessels are given up to him for his adjudication.

In this case I placed the dhow in the hands of Her Majesty's Consul at Zanzibar, and accordingly gave her up to the Sultan, who, a few days later, caused her to be towed outside the "Orestes" and destroyed by fire. The slaves were retained by the Sultan.

It is to be regretted that they could not be liberated, but the lesson will not be the less felt by the slave-dealers and dhow-owners.

Since my last Report, the "Rapid" has been detached on other service, and has now left the coast for Bombay.

The "Wasp" and "Lyra" have been cruizing to the southward since January, but I have no report of their proceedings.

I have reason to hope that no shipments of slaves in foreign vessels have been made from the East Coast during the last year; this opinion I heard expressed by certain merchants at Zanzibar, who are generally well acquainted with everything that goes on along the coast, especially when money is brought in for the purchase

of slaves, which they say always finds its way to Zanzibar; but I cannot but feel how inadequate are our means for stopping the Slave Trade on so extensive a line of coast should it be largely entered upon.

The demand for slaves in Arabia and Persia is very great, and prices high. Large numbers of slaves are collected, not only at Zanzibar but at many of the ports to the northward; but the number of Arab dhows that have come down this year is less than usual, a great many having been destroyed in the hurricane of last year. They have a very wholesome dread of our cruizers, and it is pretty well known that vessels will now be stationed off Guardafui.

I have reason to think that the Slave Trade in dhows from the neighbourhood of Mozambique to the Island of Madagascar has very much increased during the last year or two. This Trade alone requires all the attention of one cruizer from the middle of April until December. It could not be maintained were it not for the false and mischievous claim set up by Portugal to the sovereignty of a line of coast (from Quillimane to Cape Delgado) of 600 miles, on which she does not possess any territory except the Island of Mozambique. By her commercial restrictions she has stopped the trade of the whole coast, and left her own subjects and the native Chiefs, who are really independent of her, nothing but the Slave Trade, as no foreign vessels are allowed to trade with them. Many of these Chiefs would willingly enter into Treaty to abolish the Slave Trade.

It is remarkable that all the northern Slave Trade comes from the back of the Portuguese territory, finding its way to the sea through Quiloa. I am told that slaves are not exported from any place north of Quiloa.

There is reason to suppose that two or three small cargoes of slaves have been brought into Johanna. Mr. Sunley, the Consul, had heard a report of such being the case, but had not been able to obtain proofs.

Since my last Report, I have heard that M. Lambert, of Madagascar notoriety, has established himself at the Island of Mayotte, and obtained a large concession of land; he will doubtless work his estate with engagés brought from the mainland.

I have, &c.

(Signed) ALAN GARDNER.

No. 90.

Commander Parr to the Secretary to the Admiralty.

Sir, *"Lyra," Formosa Bay, April* 13, 1865.

I HAVE the honour to report that on the 10th April, whilst cruizing in latitude 2° 31′ south, longitude 41° 28′ east, I fell in with a dhow having no papers, and no colours hoisted, although she had a Turkish flag on board, for bearing which she had no authority. She had a large quantity of wood for slave-decks, coarse grass matting, large water-tanks, two large cooking coppers, and other utensils adapted for feeding slaves, and had an accommodation for slaves like unto a mason's ladder; and as she was unfit to proceed to a port of adjudication I scuttled her. Her crew, who were Somali Arabs, were put on board a dhow going north, at their own request.

I have, &c.

(Signed) ROBERT A. PARR.

No. 91.

Captain Bowden to the Secretary to the Admiralty.

Sir, *"Wasp," Zanzibar, April* 16, 1865.

IN pursuance of the Slave Instructions, I have the honour to inform you that a slave dhow, containing 26 slaves, was captured by the boats of this ship, under the charge of Lieutenant Charles B. Theobald, near the Island of Zanzibar, which vessel was adjudicated, condemned, and burnt by the Sultan of Zanzibar.

The slaves were retained by him in consequence of their having been stolen property.

I beg to inclose a receipt for them, and for the vessel from Lieutenant-Colonel R. L. Playfair.

I have, &c.
(Signed) W. BOWDEN.

Inclosure 1 in No. 91.

Certificate.

"*Wasp*," *Zanzibar, April* 14, 1865.

THIS is to certify that we have this day measured a slave dhow, captured on the 10th April, 1865, by Her Majesty's ship "Wasp," and find her dimensions to be as follows, viz.:—Length between perpendicular 55 feet; 14 feet extreme breadth; 28 feet girth. From which her tonnage (42 tons) has been calculated.

(Signed) THOMAS HESTER, *Carpenter.*
EDWARD PHILLIPS, *Master,*
Her Majesty's ship "Wasp."

Approved:
(Signed) W. BOWDEN, *Captain.*

Inclosure 2 in No. 91.

Certificate.

I, LIEUTENANT-COLONEL R. L. PLAYFAIR, Her Britannic Majesty's Consul and Political Agent at Zanzibar, do hereby certify that on 15th day of April, 1865, a boat of the build called "Bedan," which had been captured by the boats of Her Majesty's ship "Wasp," with a slave cargo of twenty men and boys, two women, and four girls, in all twenty-six souls, which boat belonged to a naturalized subject of his Highness Sayid Majid bin Saeed, Sultan of Zanzibar, was delivered over by me to his Highness for adjudication. That the said boat was duly condemned on the same day as a slaver, and that she was burnt as such also on the same day.

I do further certify that as many of the slaves are represented as having been stolen from their lawful owners, they have all been detained by his Highness the Sultan pending further investigation.

Given under my hand and seal of office at Zanzibar on the date first before written.

(Signed) R. L. PLAYFAIR.

No. 92.

Captain Bowden to the Secretary to the Admiralty.

Sir, "*Wasp*," *Seychelles, May* 26, 1865.

IN compliance with the Slave Trade Instructions, I have the honour to report that on the night of the 12th May, an Arab dhow was captured by the pinnace and cutter of this ship, under the charge of Lieutenant Charles E. Rising, at a distance of from eight to ten miles from the Port of Zanzibar, with 283 slaves on board.

She had a large crew of northern Arabs, who made a desparate resistance, but owing to the gallantry displayed by the officers whose names are in the margin,* and their boats' crews, the vessel was carried, the Arabs taking to the sea, and to a boat they cut from the stern, but leaving three dead and thirteen prisoners.

I regret to say that John New, coxswain of pinnace, the first to board, was killed, and three officers and eight men wounded.

I cannot speak too highly of the judicious way in which the attack was conducted, and the gallantry displayed by Lieutenant C. E. Rising, who has received three very severe wounds.

Lieutenant C. B. Theobald received a very severe wound at the onset, but, notwithstanding, boarded, and afterwards remained in charge.

By the previous statement there were seventy Arabs on board at the time of the attack, and by the report from the shore twenty-five are missing of those who took to the sea.

I beg to inclose the officers' report of their proceedings, and the surgeon's list of casualties.

I have, &c.
(Signed) W. BOWDEN.

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* Cutter—C. E. Rising, Lieutenant, Wm. Wilson, Midshipman; and 11 men. Pinnace—C. B. Theobald, Lieutenant, J. J. A. Campbell, Midshipman, and 13 men.

Inclosure 1 in No. 92.

Lieutenant Rising to Captain Bowden.

Sir, "*Wasp*," *Seychelles, May* 26, 1865.

IN obedience to your orders of the 12th inst., I proceeded with the pinnace and first cutter, manned and armed, to endeavour to intercept a dhow, which was to sail from Zanzibar the same evening.

On leaving the ship I at once sent Lieutenant C. B. Theobald in the pinnace down to Chapney Island, giving him directions to look for the dhow, and also for me in the cutter. I then went in to where the dhow was at anchor at sunset, but found that she had sailed. On inquiring on board another small dhow, heard that she had sailed about half-an-hour with only part of her slaves on board, and that the rest had gone after her in three large canoes. I immediately proceeded to pick up the pinnace, and having come to the conclusion that she must have anchored somewhere close in shore to receive those slaves, I proceeded in company of pinnace to search the shore, intending to go down to Cockstown if we did not find her on our way—the pinnace being about a mile and a-half from the shore, and the cutter about half a mile.

After proceeding about two miles, I observed a canoe in shore of me, and immediately chased her; as soon as she saw me she made for the shore, and, reaching it, all the crew ran into the bush. I searched the canoe, and found in it several baskets of yams and a copper kettle, and from what the interpreter said I had no doubt she was one of the three canoes. I took her in tow and shoved off, and just as I hoisted the sail I observed a sail coming round the point and stood off towards her. I saw that it was a large dhow with her sail half hoisted, apparently looking for something. When I was within 200 yards of her she appeared to make me out, and hoisted her sail, at the same time firing at me. I at once chased, and commenced firing at her—she returning it, and finding that the cutter was sailing faster than the dhow, I kept abouty eighty yards astern of her, intending to wait for the pinnace. After chasing her about half a mile, I observed the pinnace commence firing on her from some distance ahead, and at once got the oars out. About ten minutes after, I saw the pinnace close to the dhow, and almost immediately after she boarded her on the port bow. I at once boarded with the cutter on the starboard quarter, and after about ten minutes severe fighting we succeeded in capturing her, many of the crew jumping overboard; and, owing to the darkness, succeeded in cutting the boat away from the stern of the dhow and escaping in her.

I must leave Lieutenant Theobald to finish this report, as I regret to say I became insensible from loss of blood, and, on coming to, found myself in the cutter with several wounded men, on our way to the ship, which we reached at 7.30 A.M., on the 13th.

I have now only to say that it is my firm conviction we should never have captured her if Lieutenant Theobald had not at once stood across to cut her off on seeing the firing, and then without hesitation boarded. I wish also to bring to your notice the manner in which Mr. W. Wilson (midshipman), John Williams, A.B., and coxswain of the cutter, and Charles Proudley, yeoman of store-rooms, behaved. The latter saved my life when, owing to loss of blood and my sword being broken, I was hardly able to defend myself.

I have, &c.

(Signed) CHARLES C. RISING.

Inclosure 2 in No. 92.

Lieutenant Theobald to Captain Bowden.

Sir, "*Wasp*," *Seychelles, May* 26, 1865.

AFTER the capture of the dhow, finding Lieutenant Rising severely wounded and insensible, I took charge of the boats. I sent the first cutter, with Lieutenant Charles C. Rising and the worst of the wounded, back to the ship, with request for assistance to be sent to me as soon as possible. I then got under weigh in the dhow with pinnace in tow, and stood over to the African coast until shortly before daylight, when I wore, and seeing the ship coming towards us I anchored the dhow close to Chapney Island, and returned on board at 11·30 A.M. In conclusion I beg to call your attention to the gallant behaviour of Mr. J. J. A. Campbell, midshipman, and the men under my command.

I have, &c.

(Signed) CHARLES B. THEOBALD.

Inclosure 3 in No. 92.

Certificate.

"*Wasp*," *Zanzibar*," *May* 15, 1865.

THIS is to certify that we have this day measured a slave dhow, captured on the 12th May, 1865, by Her Majesty's ship "Wasp," and find her dimensions to be as follows, viz.:—Length between perpendicular 92 feet; extreme breadth 26 feet; girth 46 feet. Poop—breadth 18 feet; length 24 feet; depth 6 feet. From which her registered tonnage (240 tons) has been calculated.

(Signed) THOMAS HESTER, *Carpenter*,
EDWD. C. DU B. PHILLIPS, *Master*,
Her Majesty's ship "Wasp."

Approved:
(Signed) W. BOWDEN, *Captain*.

Inclosure 4 in No. 92.

Mr. Schultz to Captain Bowden.

Sir, *Zanzibar, May* 15, 1865.

I DO hereby certify that an Arab dhow, which has been captured by the boats of Her Majesty's ship "Wasp," with a slave cargo, was delivered over by me to his Highness for adjudication, and has been condemned by the Sultan, and delivered over to you for disposal, and that the Sultan has promised to punish the Arab prisoners handed over to him.

Given under my hand and seal of office.

(Signed) THEODORE SCHULTZ,
For R. L. Playfair.

Inclosure 5 in No. 92.

Declaration.

I, THE Undersigned, holding the rank of Surgeon in Her Britannic Majesty's Navy, do hereby declare that the following deaths have occurred amongst the slaves captured on the 12th May, between that date and the 25th May, 1865: 1 man; 1 woman; 3 boys; 1 girl. Total 6.

(Signed) WM. E. O'BRIEN, *Surgeon,*
Her Majesty's ship "Wasp."

Approved:
(Signed) W. BOWDEN.

Inclosure 6 in No. 92.

Certificate.

I HEREBY certify that I have received from Captain Bowden, of Her Majesty's Ship "Wasp," 277 negroes for the purpose of emancipation, viz.: males 102; females 175. Total 277.

Given under my hand and seal at Mahè, Seychelles, this 26th day of May, 1865.

(Signed) SWINBURNE WARD,
Her Majesty's Civil Commissioner.

Inclosure 7 in No. 92.

Certificate.

"*Wasp,*" *Zanzibar, May* 16, 1865.

THIS is to certify that the sum of £84 12*s.* 6*d.* was found on board the dhow captured by this ship on the 12th May, 1865, and that the same has been taken on charge by the Paymaster.

(Signed) W. BOWDEN, *Captain.*
EDWD. C. DU B. PHILLIPS, *Master.*
C. E. SMITH, *Paymaster.*

Inclosure 8 in No. 92.

RETURN of Killed and Wounded Officers and Men during the Engagement and Capture of an Arab Dhow near Zanzibar, on the night of May 12, 1865, by the boats of Her Majesty's ship "Wasp."

Names.	Quality.	Nature of Injury.	Remarks.
John New	Coxswain, pinnace ..	Spear wound of chest ..	Killed. Large blood-vessels divided.
Chas. C. Rising ..	Lieutenant	Sword wound of neck ..	Very severe. All muscles left side of neck divided.
		Ditto of left hand	Very severe. Hand amputated except little finger and thumb.
		Ditto of right thigh ..	Severe. Not dangerous.
Chas. B. Theobald ..	Ditto	Spear wound of left wrist .	Very severe. Spear went through the joint.
William Wilson ..	Midshipman ..	Sword wound of back ..	Severe.
		Ditto of right wrist ..	Ditto. Some tendons and nerves divided.
Oliver Norville ..	2nd Captain, foretop .	Spear wound of abdomen ..	Penetrating. Very dangerous.
Archibald Mac Phail ..	Boatswain's Mate ..	Ditto of chest	Ditto. Ditto.
John Cramer ..	Captain, after guard ..	Ditto through fore-arm ..	Very severe.
John Williams ..	A.B.	Sword wound of forehead ..	Severe.
Edward Thompson ..	A.B.	Ditto of fore-arm	Ditto.
		Spear wound of chest ..	Slight.
Charles Soeganna ..	Ordinary seaman ..	Ditto of back .. .	Ditto.
William Springall ..	Sailmaker's crew ..	Ditto of fore-arm	Ditto.

(Signed) WM. E. O'BRIEN, *Surgeon.*

No. 93.

Commodore Montresor to the Secretary to the Admiralty.

(Extract.) "*Severn,*" *Trincomalee, June* 25, 1865.

I HAVE the honour to submit the following report of the loss of the cutter of the "Lyra," and of an attack made on the boat's crew under the command of Lieutenant Reed, resulting in the death of the two named in the margin,* and the wounding of several others, and of the proceedings consequent thereon.

* William Saul, private, Royal Marines; William Welsh, ordinary.

2. The detailed reports on this unfortunate occurrence are exceedingly voluminous, and thinking it needless to take up their Lordships' time in reading them, I shall endeavour to compress the twenty-seven sheets of official information into nine.

3. On the 3rd November, 1864, the cutter in charge of Lieutenant Reed, being detached from the ship, attempted to land on the beach, at a point about forty-five miles south-south-west of Mozambique, in latitude 15° 41′ south, and longitude 40° 25′ east, twenty-one miles north-east of the mouth of Antonio River, to obtain water, and was completely swamped, arms and ammunition lost, this was about 5 P.M.; about 8 P.M. the natives, who had gradually increased in number till they amounted to 80 or 100 men, suddenly bound Lieutenant Reed with cords, and fell on the boat's crew with spears and firearms, two who are missing it is feared were killed, as they have never since been heard of, several were wounded and taken prisoners, the rest hid themselves and got off in canoes to the ship, which had anchored off the spot the same evening. The captured prisoners were marched about an hour's journey inland to a village, when their cords were taken off and they were supplied with mats to sleep on. The next day the petty Chief, under whose directions they had been captured, received orders from a powerful Chief, named Mousa, to restore the goods they had plundered and to send their prisoners to him, the prisoners were consequently marched under a strong guard towards Shangady, which they reached at 8 P.M. the next evening, having halted one night on the road.

4. Shortly after their arrival Mousa arrived; Mousa is the Arab Chief of this district, having, as he asserts, 130 Chiefs and 35,000 men, mostly armed, under him, and is at enmity with the Portuguese. Mousa, after treating Lieutenant Reed and his party with great hospitality, offered to dispatch several hundred men at once to revenge the outrage perpetrated on the "Lyra's" officers and men, but was requested by Lieutenant Reed to wait until he had communicated with his captain. In the meantime a letter was sent to Commander Parr through Mousa to Mozambique.

5. On the 14th the "Lyra" arrived off Shangady, and Lieutenant Reed made his report. In the interval of Lieutenant Reed's absence, every endeavour had been made by Commander Parr in search of the cutter and lost men, and not finding them, the "Lyra" proceeded to Mozambique.

6. On informing the Governor-General of what had happened, he immediately sent messengers to his troops stationed in the neighbourhood with orders to demand the release of the men, and he seemed anxious, so Commander Parr report, to render all assistance in his power; nothing however resulted from it.

7. Captain Gardner of Her Majesty's ship "Orestes," then Senior Officer, wrote at once a letter to the Governor-General, which, with its covering letter to Captain Bowden, does that officer so much credit, that I consider I should not be doing him justice in merely mentioning it, I have therefore inclosed a copy.

8. The Governor of Mozambique replied to Captain Gardner's letter, giving free permission to the English to avenge their own cause without detriment to the dignity of Portugal, provided a report is made to him, which he hopes will be done, of the steps pursued.

9. Captain Gardner (ordered home) having left Captain Bowden in charge, the latter dispatched boats under the orders of Commander Parr up the Antonio River to seek an interview with Mousa (inclosed is a copy of his orders). The Chief received them "in his usual kind and hospitable manner;" he was first asked about the fate of the two missing men, he said they had doubtless been killed, as he could gain no intelligence regarding them, though he had ordered a watch to be kept in the vicinity of their loss; he then volunteered the information that he had been waiting the arrival of the "Lyra" for orders to punish the perpetrators of the outrage, and that in the meantime he had recovered Mr. Reed's sword and some of the clothing of the men.

10. Commander Parr then "thanked him in the name of the Senior Officer for past services, and informed him that in twenty days or so, a ship would be off Antonio, to receive his report of the result of his proceedings from this date."

11. On the 6th of March the "Lyra" returned off Antonio River, and her Commander again communicated with Mousa. Mousa stated that he had been at war ever since the "Lyra's" departure, with some tribes who had created disturbances in the southern part of his territory. The Chief of Mogincalé, he said, who had attacked the cutter's crew, had confessed his crime, and that he had tried to enter

into negotiations with him (Mousa), either by payment in cash, or in any way he might suggest, of which, however, he said, he had hitherto taken no notice.

12. Commander Parr desired that the Chief of Mogincalé might be captured at the earliest opportunity, and four of the ringleaders to be detained there until the arrival of an English man-of-war, and Mousa promised that he would as early as possible attack the tribe of Mogincalé, and endeavour to effect the capture demanded.

13. On leaving, Commander Parr reports, "I thought it requisite to impress upon him that the order I had given him only referred to the tribe of Mogincalé, and that I should not be answerable for any of his actions against the Portuguese."

14. Commander Parr's conversations with Mousa were effected through the instrumentality of Ali Benhomet, the interpreter of his ship.

15. Captain Bowden, by order of Admiral King, who had left the station, refers the whole of this correspondence to me, requesting my instructions thereon in the event of the petty Chief of Mogincalé, and the four ringleaders being delivered over, stating, I think with reason, "even in case of their confessing, I doubt if I should be justified in ordering their execution, however much they might deserve it; according to the native laws, such would doubtless be their fate;" to which I have replied, "I conceive the best way of meeting the difficulty as to their punishment, will be to tell them that you have referred it to me, and that I have, in consideration of the prompt and honourable assistance which we have received at his hands, for which I thank him very sincerely, left it to him to inflict such punishment in the way of transportation or imprisonment, or such other punishment as he may deem proper, short of injury to life and limb, which our feelings of humanity towards ignorant barbarians induce us in this case to refrain from."

No. 94.

Declaration by Lieutenant Garforth.

I, EDMOND ST. JOHN GARFORTH, the undersigned Lieutenant Commander, holding the rank of Lieutenant in Her Britannic Majesty's Navy, and commanding Her Majesty's gun-vessel "Penguin" duly authorized by Acts of Parliament for the suppression of the Slave Trade, do hereby declare that at 11 A.M. on Thursday the 25th May, 1865, whilst steaming along the coast towards Cape Guardafui I observed two dhows at anchor off the village of Bunder Alluleh at the entrance of the Gulf of Aden. Thinking they might be engaged in the Slave Trade, I altered course and steamed into the bay, and when within a mile and a-half of the dhows I observed one of them beached and the slaves being driven out of her to the shore and thence inland.

Having brought the ship to an anchor, I proceeded with a whaler and the cutters armed to examine the vessels, and I arrived alongside the one that had been beached a few minutes after the last slave had been driven out of her, with the exception of one, who died shortly afterwards. Leaving one of the cutters to tow her off to the ship I proceeded with the other boats on board the second dhow (a Baghalah) which was lying at anchor near where the first one had been; on examining her I found her deserted by the crew and without either colours or papers, and from a fire forward still burning the crew had evidently deserted on our approach, taking with them all their portable property.

Considering there was not the slightest doubt of her being engaged in the Slave Trade, I towed her off alongside the ship, and sent Mr. Charles F. Gulliver, second master, and Mr. Thomas E. Miller, sub-lieutenant, on board of her, who reported to me having found a slave deck, bearing marks of recent occupation, a barred hatchway, and three water tanks 6 feet by 4, one smaller, one 4 feet by 4, a large water cask, large coppers and a farina mill, besides the necessary food for slaves.

At some distance from the beach I observed a large barracoon with about as many slaves in it as would form a cargo for these two vessels.

From the advanced state of the monsoon I considered it impracticable to tow them to any port of adjudication, and therefore sent Mr. Charles F. Gulliver, second master, and George Hicks, carpenter's mate, to measure them, who found the baghalah to be 78 feet in length and 182 tons; and the dhow to be 56 feet in length and 73 tons.

I then weighed with the vessels in tow and proceeded out about twenty miles fr m land and destroyed them by fire.

Given under my hand on board Her Majesty's gun-vessel "Penguin," at sea in latitude 10° 58′ north, longitude 51° 9½′ east, this 26th day of May, 1865.

(Signed) EDMOND ST. JOHN GARFORTH.

No. 95.

Captain Paisley to the Secretary to the Admiralty.

My Lord, *"Highflyer," June* 30, 1865.

I HAVE the honour to inform you, for the Lords Commissioners of the Admiralty, that on my arrival on this station I called at Mozambique, where I found a Spanish ship, the "*Duke of Tetuan,*" belonging (as the Governor of that place informed me) to Cadiz and bound for America. She was taking in a cargo of rice.

These circumstances induced me to leave one of my boats at Leman, Veloso Bay, to watch the movement of the suspected vessel, and also to assist in suppressing the trade in slaves running north.

Lieutenant S. Fellowes, the officer in command of the launch, informs me that the Government of Ibo had seized a vessel with 246 slaves on board a day previous to his arrival at that port.

Lieutenant Fellowes also heard that the "*Duke of Tetuan*" had run a large cargo of slaves from Inhambane last year, and it was believed that she intended to do the same this year, but as his time was limited, he was obliged to return to Zanzibar for provisions.

Information was received at Keonga, that an Arab vessel had taken a number of slaves from that place a few hours before the arrival of my launch.

On the 24th June, the launch detained a bedaux running north. A slave-deck was found on board her though she had only left Zanzibar, she had no papers. She was, therefore, brought into Zanzibar, where some Banians engaged themselves to swear she was chartered by them for a voyage to Tanga for corn. She was, therefore, released at Sultan Said Majid's request.

I have, &c.

(Signed) T. M. S. PAISLEY.

No. 96.

Commander Parr to Captain Bowden.

Sir, *"Lyra," at Sea, June* 30, 1865.

I HAVE th e honour to report my experiences during the last half-year of the state of the Slave Trade on this coast.

2. During the months of January, February, and March, I cruized in the Mozambique, but found the coast generally quiet, and no symptoms of Slave Trade being carried on to any great extent.

3. During the month of April I worked the coast from Brava downwards to Waseen, and boarded a great many dhows, but they had nothing suspicious about their fittings, the generality of their cargoes consisting of grain. At Lamoo I heard from the Governor that the Somali Arabs come down sometimes and steal the slaves from the inhabitants, and their dhows generally get clear off owing to the coast not being sufficiently watched.

4. While at anchor off Tola Island, during my attendance on Baron de Decken, I destroyed one dhow which had brought a cargo of slaves from Lamoo.

5. Tola appears to be a very good place for a cruizer to call at, as from what the Chief informed me, the dhows coming from the southward generally make Tola their first stoppage on their voyage north. I am of opinion that there is little or no cessation in the Slave Trade which is carried on to such a great extent during the early part of the south-westerly monsoon, between Zanzibar and the territories of the Imaum of Muscat.

I have, &c.

(Signed) R. A. PARR.

No. 97.

Captain Bowden to Commodore Montresor.

Sir, "*Wasp*," *Zanzibar, June* 30, 1865.

IN compliance with the instructions for the suppression of the Slave Trade, I have the honour to inform you that during a cruize of nearly three months in the Mozambique Channel, I did not hear of any European slave vessel having for a length of time visited any portion of that coast.

There is a Traffic in Slaves between Madagascar and the main, and a dhow filled with slaves had been captured by a Portuguese cruizer, and carried to Mozambique. There does not appear to be any great demand for slaves in Madagascar, and there is sometimes difficulty in disposing of a cargo.

In the dominions of the Sultan of Zanzibar, a much better price is generally given, and there is little difficulty in their taking a cargo to the southern portion of his dominions; once there, if provided with a pass, the Traffic is lawful, except for five months in the year.

His dominions are the chief seat of the Slave Trade on this coast. Under the name of domestic slaves, numbers daily arrive at Zanzibar, and can be shipped away to any of his northern ports. A pass from the Custom-house would always be obtainable for the rest of the year, but the Arabs have a dislike to pay the Custom dues, which is the only hindrance to the Slave Trade on the south of the Equator. It by no means follows that because a vessel has a pass for slaves at Lamoo (procurable on 1st May), she should not run before the wind for a few days more to the Arabian coast.

The Sultan is perhaps sincere in his wish to prevent the export of slaves to Asia, but he receives no support from any of his subjects, and dares do no more than he has.

During the months of February, March, and April, the Northern Arabs collect in numbers, kidnap, destroy, and act quite as they please, no one daring to complain against them.

Most of the dhows run very well before the wind, draw but little water, and keep inside the reefs, which line the coast, with few intermissions, to Ras Haffoon: if they see a cruizer they lower their sails, and are not discernable from the offing.

The whole seaboard population is Mahomedan; they, thinking slavery a divine right, cannot understand our views, and are consequently partly hostile to us, and ask why we, a great nation, steal their slaves, when we can buy them so cheaply.

Regarding the capture of empty dhows, as far as my experience goes, and I have seen many dozen vessels who have brought slaves to Zanzibar, no sort of fittings are ever used. If they have cargo they sit on it, and if not, on the sand ballast, and they carry comparatively little water. The ordinary cargoes, such as grain, oranges, and cocoa-nuts, will feed slaves if on board.

It would be a great injustice to destroy all northern Arab vessels met with, but the majority will carry slaves if they can; those belonging to the South appear never to go north of the Equator.

The Sultan, in adjudicating on a detained dhow, has lately said it is proof, not suspicion, that is required: I think the former could rarely be found in empty vessels.

The most desirable grounds for cruizing is doubtless from Rio Haffoon to Arabia and Persia, from the end of March to the middle of May, when the sea and wind near Socotra becomes too violent for dhows. The "Penguin" made four prizes this season, and would in all probability have made many more if she had not been obliged to take the slaves to Aden. There would be room and work for four or five cruizers during that time. About Brava, or near the Equator, would also be a good place, anchoring at night close to the shore.

At and near Zanzibar much more might be done by steam launches that could run fast; they would be of much service afterwards in the Mozambique. The "Wasp's" boats lost several prizes from want of speed. A ship is of little or no service, more especially at night, and among reefs and shoals.

While domestic slavery is an Arab institution, I don't think we could, even if Zanzibar were in our possession, do more than slightly and temporarily check the Slave Trade on this coast. Most of the slaves on Zanzibar are in good condition,

and far happier than with negro masters. Those who are young, especially the women and girls, by no means dislike the idea of going as slaves to Muscat. Many of those we emancipated at Mahé regretted being taken there, dreading the idea of having to work as they never had been accustomed to it.

I have, &c.
(Signed) W. BOWDEN.

Inclosure in No. 97.

List of Slaves Captured from April 4 to June 30, 1865.

"Wasp"—2 dhows with 309 slaves; 1 empty dhow detained, but escaped with prize crew of 3 men.
"Lyra"—1 empty dhow, and is now cruizing near the equator.
"Rapid"—1 dhow with slaves; returns not received.
"Penguin"—2 dhows with 286 slaves, and 2 empty dhows from which slaves had just landed.

No. 98.

Commander Parr to the Secretary to the Admiralty.

Sir, *"Lyra," Port Tola, June* 23, 1865.

I HAVE the honour to report that on arriving at this port on the 20th instant, I observed a dhow on shore off the entrance of the river, and on making inquiries I ascertained of the Chief of Tola that she had brought a number of slaves from Lamoo (about 140), and that on her getting ashore only 40 of the slaves were saved from drowning, who were subsequently shipped in another dhow to Brava. I accordingly boarded the dhow on shore and found her deserted by her crew, and without any colours; she had a slave deck, a large cooking place, and a slave ladder; the water tanks and cooking utensils having been either washed away or landed by the natives, I therefore seized and destroyed her by breaking her up.

I have, &c.
(Signed) ROBERT PARR.

Inclosure in No. 98.

Commander Parr to the Secretary to the Admiralty.

Sir, *"Lyra," Port Tola, June* 28, 1865.

I HAVE the honour to inform you that on the 27th inst., having received information from the Chief of Tola that a party of slaves, being part of a cargo of a dhow wrecked in Port Durnford, were awaiting shipment, I sent two boats to the place indicated, and next morning they succeeded in capturing 18 slaves, the remainder being driven away into the bush by their Arab masters.

Out of a cargo of 150 slaves supposed to have escaped from the wreck of the dhow, I heard that the greater number had since died from want of food and exposure.

I have, &c.
(Signed) ROBERT H. PARR.

No. 99.

RETURN of Vessels Visited and Detained by Her Majesty's ships "Lyra" and "Wasp."

Date of Detention.	Where; if at Sea state Latitude and Longitude.	Name of Vessel.	Name of Master.	Name of Owner, and of what Place.	Under what colours.	How rigged.	No. of Men.	No. of Guns.	No. of Tons.	Where From.	Where Bound.	Where Belonging.	Date of Sailing from last Port.	Nature of Cargo.	To whom consigned.	If with Slaves on board. No. of Men.	No. of Women.	No. of Boys.	No. of Girls.	If with Slaves on board. Where Shipped.	Of the Prize Crew. Name and Rank of the Officer in charge.	No. of Sub-Officers.	No. of Petty Officers and Seamen.	No. of Marines.	No. of Boys.	To what Port sent for adjudication.	Name of Proctor.	Name of Agent in London.	Condition of the Slaves and Vessel, stating the Number of Deaths before Adjudication, and the Number Emancipated.	Circumstances which have induced the Captain to detain the Vessel, with general Remarks.
1865													1865																	
April 10	Lat. 2° 31′ S., Long. 41° 28′ E.	Monsoon	Salim bin Mousoud.	Abdallah, of Jeddah.	Hoisted none; had Turkish on board.	Dhow	20	...	107·25	Lameo ...	Jedda	Jedda	April 6	Grain, and fitted for Slave Trade.	...	...	...	...	...	...	...	...	...	...	...	...	Cape Town	...	Messrs. Hallett, Ommaney, and Co.	Vessel was scuttled, being unfit to proceed to a port of adjudication.	Having no papers; having a quantity of wood for slave-decks, coarse grass matting; and possessed of an accommodation like unto a mason's ladder; having two large cooking coppers, large water tanks, and other utensils adapted for feeding slaves.
June 23	Tola Bay ...	Unknown	Unknown ...	Unknown	...	Dhow	...	...	108·06	Lameo ...	Brava	Brava	...	Slaves	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Ditto	Vessel stranded and deserted by crew and slaves; broke her up, she being unfit to proceed to a port of adjudication.	No papers or colours; a slave-deck; large cooking place; and a slave ladder.
June 28	Tola Bay ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	3	7	1	7	...	...	...	...	...	...	...	...	...	...	...	Captured on shore, being part of a cargo from a dhow wrecked in Port Durnford.

"*Lyra*," *July* 19, 1865.

(Signed) ROBERT T. PARR, *Commander.*

RETURN of Vessels under Foreign Colours Visited by Her Majesty's ship "Lyra."

Date of Visitation.	Where: if at sea state the Latitude and Longitude.	Names and Rank of the two Visiting Officers.	Name of Vessel.	Name of Master.	Name of Owner, and of what Place.	Under what Colours.	How rigged.	Number of Men.	Number of Guns.	Number of Tons.	Where From.	Where Bound.	Where Belonging.	Date of Sailing from last Port.	Nature of Cargo.	To whom consigned.	Detained or Released	Circumstances which have induced the Captain to visit such Vessel, and afterwards to release her.	Remarks. To contain any further particulars relative to the Vessel visited, Number and Description of Passengers, Intelligence, &c.
1865														1865					
April 6	Off Brava ...	F. H. S. O'Brien, Acting Sub-Lieutenant.	Peraya ...	Hamise ...	Hamise, Soiri ...	Arab ...	Dhow ...	10	...	25	Zanzibar ...	Brava	Soiri ...	Mar. 17	Grain	Captain, own .	Released	To obtain information. Legal trader.	
6	Ditto	Ditto	Fatall ...	Homade ...	Homade, Soiri ...	Ditto ...	Ditto ...	11	...	30	Lamoo ...	Ditto	Ditto ...	29	Bags and grain .	Ditto	Ditto ...	Ditto.	
7	Off Juba	G. H. B. Reed, Lieutenant. F. H. S. O'Brien, Acting Sub-Lieutenant.	...	...	...	...	...	...	...	...	...	... ...	...	...	... ...	...	...	Ditto	Boarded three dhows from Zanzibar to Brava, with grain, under Arab colours.
9	Off Kwyhoo ...	T. Patter, Gunner .	...	...	...	...	...	...	...	...	...	... ...	...	...	... ...	...	...	Ditto	Boarded one dhow from Zanzibar to Brava, with troops of Sultan of Zanzibar.
11	Off Lamoo ...	F. H. S. O'Brien, Acting Sub-Lieutenant.	Larana ...	Baraka ...	Said, Soiri ...	Arab ...	Dhow ...	26	...	70	Zanzibar ...	Mahara	Soiri ...	April 5	Grain	Captain, own .	Released	Ditto.	
11	Ditto	Ditto	Halay ...	Salem	Salem, Benham .	Ditto ...	Ditto ...	17	...	60	Ditto	Ditto	Muscat ...	Mar. 23	Ditto	Ditto	Ditto ...	Ditto.	
From April 10 to April 13	Kwyhoo to Ozy Point.	G. H. B. Reed, Lieutenant.	...	...	...	...	...	...	...	...	...	... ...	...	..	... ...	...	...	Ditto	Boarded thirty-seven Arab dhows from Lamoo and Zanzibar to Maculla, with grain.
		T. Patter, Gunner .	...	...	...	...	...	...	...	...	...	... ...	...	...	... ...	...	...	Ditto	Boarded four Arab dhows from Lamoo to Maculla, with grain.
		H. Barrett, Master's Assistant.	...	...	...	...	...	...	...	...	...	.. ..	...	...	... ...	...	...	Ditto	Boarded two Arab dhows from Lamoo to Fazey, with troops.
April 18	Off Mombaza ...	F. H. S. O'Brien, Acting Sub-Lieutenant.	Farilam .	Said	Said, Gahor ...	Arab ...	Dhow ...	10	...	80	Zanzibar ...	Magadya	Gahor ...	April 16	Grain	Captain, own .	Released	Ditto	"Wasp" at Zanzibar.

"*Lyra*," *June* 30, 1865.

(Signed) ROBERT T. PARR, *Commander*.

RETURN of Vessels Detained as being engaged in the Slave Trade, and sent into Port for Adjudication.

Date of Detention.	Where; if at Sea state the Latitude and Longitude.	Name of Vessel.	Name of Master.	Name of Owner and of what Place.	Under what Colours	How rigged.	No. of Men.	No. of Guns.	No. of Tons.	Where From.	Where Bound.	Where Belonging.	Date of Sailing from last Port.	Nature of Cargo.	To whom consigned.	If with Slaves on board. No. of Men.	No. of Women.	No. of Boys.	No. of Girls.	If with Slaves on board. Where Shipped.	Of the Prize Crew. Name and Rank of the Officer in charge.	Of the Prize Crew. No. of Subordinate Officers.	Petty Officers and Seamen.	Marines.	Boys.	To what Port sent for adjudication.	Name of Proctor.	Name of Agent in London.	Condition of the Slaves and Vessel, stating the Number of Deaths before Adjudication, and the Number Emancipated.	Circumstances which have induced the Captain to detain the Vessel, with general Remarks.
1865													1865																	
April 10	Off Kockotoni.	Unknown	Unknown	Unknown	Arab ...	Dhow	8	...	42	Zanzibar .	Muscat	...	Apr. 10	Slaves .	Unknown	20	2	...	4	Zanzibar .	... ...	...	...	...	...	Zanzibar ...	...	Messrs. Hallett, Ommanney, and Co.	Slaves in good health and condition. No deaths.	This vessel was condemned and burnt by the Sultan, having been captured in Zanzibar waters. The slaves were retained by him, they having been stolen property.
May 12	Off Chapney Island, Zanzibar.	Unknown	Unknown	Unknown	Arab ...	Dhow	...	...	240	Zanzibar .	Muscat	...	May 12	Dates, rice, spice, and slaves.	Unknown	33	69	73	108	Zanzibar .	... ...	...	...	...	...	Zanzibar ...	...	Ditto	1 boy, prior to Sultan's adjudication; 2 boys, 1 man, 1 woman, and 1 girl died during passage to the Seychelles. 277 emancipated. Generally in very good condition.	This vessel having been captured in Zanzibar waters was condemned by the Sultan, and delivered into my hands for my disposal, and finding her totally unseaworthy for a passage to Seychelles, I caused her to be burnt off the harbour of Zanzibar.

"*Wasp*," *June* 30, 1865.

(Signed) W. BOWDEN, *Captain*.

RETURN of Vessels under Foreign Colours Visited by Her Majesty's ship "Wasp."

Date of Visitation.	Where; if at Sea, state Latitude and Longitude.	Name and Rank of the two Visiting Officers.	Name of Vessel.	Name of Master.	Name of Owner, and of what place.	Under what Colours.	How rigged.	No. of Men.	No. of Guns.	No. of Tons.	Where From	Where Bound.	Where Belonging.	Date of Sailing from last Port.	Nature of Cargo.	To whom consigned.	Detained or released.	Circumstances which have induced the Captain to visit such vessels, and afterwards to release or detain them.	Remarks; to contain any further particulars relative to the vessel visited, number and description of passengers, intelligence, &c.
1865														1865					
April 10	Off Kockotoni, Zanzibar.	Lieutenant Theobald; Mr. Campbell, Midshipman.	Unknown	Unknown	Unknown	Arab	Dhow	8	...	42	Zanzibar ...	Muscat ...	Unknown	Apr. 10	... ...	Unknown	Detained	Adjudicated on by Sultan. Slaves detained by him as stolen property. Dhow burnt by him. Crew imprisoned.	Many dhows have been visited by boats, but have not been detained, who showed no colours, but were traders.
10	Ditto	Ditto	Ditto ...	Ditto ...	Ditto ...	Ditto	Ditto	...	...	...	Ditto ...	Unknown	Ditto ...	10	... ...	Ditto ...	Released	Legal trader.	
11	Off Chapney Island, Zanzibar.	Lieutenant Rising; Mr. Mordaunt, Midshipman.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto	...	...	...	Ditto ...	Ditto ...	Ditto ...	11	... ...	Ditto ...	Ditto ...	Ditto.	
14	Off Kockotoni, Zanzibar.	Lieutenant Rising; Mr. Wilson, Midshipman.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto	...	...	...	Ditto ...	Ditto ...	Ditto ...	14	... ...	Ditto ...	Detained	... ...	This dhow was detained by Lieutenant Rising, and three men put on board in charge. She escaped before the wind. Nothing has since been heard about her. Special letter reporting the case to Commander-in-chief.
						Ditto ...													
[illegible]	Off Brava ...	Mr. Phillips, Master; Mr. Mordaunt, Midshipman.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto	...	...	...	Ditto ...	Bombay ...	Ditto ...	...	... ...	Ditto ...	Released	Legal trader.	
May 12	Off Chapney Island, Zanzibar.	Lieutenant Rising; Lieutenant Theobald; Mr. Campbell, Midshipman; Mr. Wilson, Midshipman.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto	...	...	240	Ditto ...	Muscat ...	Ditto ...	May 12	Dates, rice, and spice.	Ditto ...	Detained	Had 283 slaves on board, 277 of whom were [illegible] at Mahé, Seychelles.	Adjudicated on by the Sultan, and placed at my disposal. Dhow destroyed by fire. Part of Arab crew that were taken prisoners, with the exception of the wounded, imprisoned by Sultan.

"*Wasp*," *June* 30, 1865.

(Signed) W. RAWDEN, *Captain*.

No. 100.

Commodore Cockburn to the Secretary to the Admiralty.

Sir, "*Seringapatam*," *Simons' Bay, August* 23, 1865.

IN forwarding the inclosed letters reporting the capture of two dhows by the boats of Her Majesty's ship "Rapid," their Lordships will observe that I called upon Commander Jago for some explanation as regards the blacks taken on board the "Rapid" and conveyed to the Seychelles.

I have no doubt whatever that all that has been stated is true, and the conclusion just—that the blacks were really and *bonâ fide* poor slaves rescued; still I think it right to call the attention of their Lordships to the fact, that these people were taken from the shore, simply through the statements of the natives.

I admit the difficulty in this instance, in thus having these poor creatures thrust upon the officers engaged in this affair; but it shows very clearly the necessity of great care and watchfulness on the part of the Senior Officer on the East Coast, to prevent an abuse of such means of taking black people from the shore to one of our colonies.

I have, &c.
(Signed) J. H. COCKBURN.

Inclosure 1 in No. 100.

Commander Jago to Commodore Cockburn.

Sir, "*Rapid*," *Simon's Bay, August* 10, 1865.

I HAVE the honour to inform you that the boats of Her Majestys ship under my command captured and destroyed two slave dhows under the following circumstances:—

1st. On the 4th of May, 1865, while cruizing off the island of Pemba, discovered a dhow in a creek; she was beached and abandoned as soon as the boats hove in sight, she had just landed slaves, and while the boats' crew were destroying the dhow, the officer and some of the men proceeded up to a small hut where they captured 32 of the slaves that had been landed from her, the rest of them (about 100) being driven into the bush by the Arab crew.

2nd. On the 15th May, off Lamoo, destroyed a dhow at the request of the Governor of Lamoo, she being engaged in the Slave Trade.

I have, &c.
(Signed) C. T. JAGO.

Inclosure 2 in No. 100.

Commander Jago to Commodore Cockburn.

Sir, "*Rapid*," *Simon's Bay, August* 15, 1865.

IN reply to your memorandum of the 14th instant, respecting a slave dhow, I have the honour to inform you,

1st. One of the numerous creeks on the island of Pemba.

2nd. From the natives of the village close to where the dhow was beached and from the slaves themselves.

3rd. From report from the natives, also from an Arab man who was a passenger, and likewise from the state she was in, and she having left Zanzibar before the domestic Slave Trade was allowed.

I beg also to inclose a copy of the officer's letter to me while cruizing in the Island of Pemba; that states full particulars of the said dhow.

I have, &c.
(Signed) C. T. JAGO.

Inclosure 3 in No. 100.

Acting Lieutenant Webber to Commander Jago.

Sir, "*Rapid*," *May* 7, 1865.

IN obedience to your orders of the 1st instant, I proceeded in the boats of this ship to examine the Island of Pemba.

In consequence of bad weather I did not arrive at Pemba until the night of the 2nd instant, and on the following evening I received information of a slave dhow being in the neighbourhood.

It being too late that night to proceed in search of her, I considered it advisable to wait till next morning.

The next morning I found the dhow hauled up on the beach partially cleared out, and evidently fitted for carrying slaves, having slave matting and food, also having signs of being lately engaged carrying slaves.

On landing, I received information from the natives that the dhow had brought slaves from Zanzibar, and that they were confined in houses close by.

The captain of the dhow (a Soorie), whom I saw ashore, told me he was bound to Zanzibar, with a cargo of cocoa nuts, but he had no papers or colours, and would not say where he had come from. A passenger in the dhow told me that he had come from Zanzibar in her, having paid for a passage to Lamoo; he also corroborated the statement that she had brought slaves.

The natives of the place, who appeared glad to see, and willing to assist us, showed me the houses where the slaves were confined, and also expressed a desire that I should burn the dhow, the Soories having threatened to take their children.

During the time I was searching one of the houses, in which twenty-six were confined, the captain of the dhow sent some of his crew of Sourimen to release the remainder; a great number thus escaped, but I, however, succeeded in capturing six of them, making in all thirty-two.

The masts and sails being removed and it being impossible to tow her to the rendezvous, I considered it advisable to destroy her, which I did by burning, having previously measured her.

I have, &c.
(Signed) GEORGE GORDON WEBBER.

No. 101.

Acting Commander Latham to the Secretary to the Admiralty.

Sir, *"Vigilant," Zanzibar, September* 1865.

I HAVE the honour to inform you that Lieutenant Schultz, in command of two of the boats of Her Majesty's sloop under my command, captured off Mango Pawmy in the Island of Zanzibar on the 22nd instant, a dhow containing forty-eight slaves (seven men, seven women, and thirty-four children), the crew having deserted on the approach of the boats; and her papers not being found on board he was brought into this port, and on the 25th instant the owners not having appeared, she was handed over to me by Syed Mohammed bin Jacim bin Sultan, who s Regent during the absence of the Sultan in Bombay. Two of the female slaves were in irons, and papers were found on board proving some of the slaves to have been sent out of Zanzibar by the Sultan's immediate relatives.

I intend to sink the dhow outside Zanzibar harbour as soon as I am able to leave this port for Seychelles with the slaves.

I have, &c.
(Signed) M. W. LATHAM.

Inclosure 1 in No. 101.

Mr. Schultz to Captain Latham.

Sir, *"Zanzibar," September* 30, 1865.

I DO hereby certify that an Arab dhow captured by the boats of Her Majesty's ship "Vigilant," with a slave cargo, and delivered over to his Highness for adjudication, has been condemned by the Sultan and delivered over to you for your disposal.

Given under my hand and seal of office.

(Signed) THEODORE SCHULTZ,
For G. Edward Seward, M.D., Officer in Charge of British Consulate and Political Agency.

Inclosure 2 in No. 101.

Declaration.

I, THE Undersigned, Wergland M. Latham, Esq., holding the rank of Acting Commander in Her Britannic Majesty's Navy, and commanding Her Majesty's sloop "Vigilant," duly authorized by the agreement between Great Britain and the Sultan of Muscat and Zanzibar, dated the 2nd October, 1845, for the suppression of the Slave Trade, do hereby declare that on the 22nd September, 1865, being at anchor off the town of Zanzibar, an Arab dhow was seized by the boats of this ship inside the island, and near the port (name of master unknown) for having violated the said Agreement; and I further declare that the vessel had no crew on board at the time, but a cargo of 48 slaves, as follows:—7 men, 7 women, 34 children; total, 48.

And I do also declare that I found this vessel in the following state:—Unseaworthy for a voyage to Seychelles. I therefore, after her condemnation by the Sultan of Zanzibar, caused her to be burned off that town.

Given under my hand, this 21st day of October, 1865.

(Signed) W. M. LATHAM, *Acting Commander, Commanding Her Majesty's ship "Vigilant."*

Inclosure 3 in No. 101.

Certificate.

I HEREBY certify that on the night of the 27th September, 1865, whilst lying in Zanzibar harbour, one negro escaped from the slave dhow captured on the 22nd September, 1865, leaving a total of 47 slaves.

Given under my hand, on board Her Majesty's ship "Vigilant, October 21, 1865.

(Signed) W. M. LATHAM, *Acting Commander.*

Inclosure 4 in No. 101.

Declaration.

I THE Undersigned, holding the rank of Acting Surgeon in Her Britannic Majesty's Navy, do hereby declare that the following deaths occurred amongst the slaves captured on the 22nd September, 1865, between that date and the 21st October, 1865:—1 boy; total number remaining, 46.

Given under my hand, on board Her Majesty's ship "Vigilant," 21st day of October, 1865.

(Signed) W. G. FISHER, *Acting Surgeon.*

Inclosure 5 in No. 101.

Certificate.

I HEREBY certify that I have received from Commander W. M. Latham, of Her Majesty's ship "Vigilant" 46 negroes for the purpose of emancipation, viz.:—4 men, 11 women, 31 children; total, 46.

Given under my hand at Mahé, Seychelles, this 21st day of October, 1865.

(Signed) SWINBURNE WARDE, *Her Majesty's Civil Commissioner.*

NORTH AMERICA AND WEST INDIA STATION.

No. 102.

Vice-Admiral Sir J. Hope to the Secretary to the Admiralty.

Sir, "*Duncan*," *at Trinidad, March* 10, 1865.

IN reference to the following remark in Mr. Dunlop's letter of the 30th of January last, inclosed in your letter of the 7th ultimo—"I beg leave to mention that the '*Indus*' is believed to have been directly or indirectly engaged in slave-trading at the very time she touched at St. Thomas. It seems a pity that she was not detained by the 'Cordelia.' At such places as St. Thomas it is often in the Consul's power to arrest a suspected ship for such a length of time as would involve great injury to her owners"—you will be pleased to acquaint the Lords Commissioners of the Admiralty that the "Cordelia" was detached to St. Thomas at the request of the Consul, for the express purpose of affording that officer whatever assistance might prove requisite in the case; and that, after due investigation, no sufficient ground appearing for the detention of the vessel, she was necessarily handed over to the consignees.

2. A copy of the Consul's letter, and an extract from the Senior Officer's report of proceedings, are forwarded herewith, and should further information be required, Commander Scott, in command of the "Cordelia" at the time, being now in England, will be able to afford it.

I have, &c.
(Signed) J. HOPE.

Inclosure 1 in No. 102.

Consul Lamb to Captain Hood.

Sir, *St. Thomas, December* 1, 1864.

I HAVE the honour to inform you that the British barque "*Indus*" (late American under same name) arrived here on the 10th instant from Cadiz, and was reported to the Custom-house and to me in ballast. After arrival, three of her crew were discharged and four deserted. Subsequently she discharged 120 odd water-casks, some rice, beans, bread, beef, &c., which it is said were taken on board at Cadiz, but of this there is no proof. The water-casks are represented as fitted for ballast, but I do not find that the ship has taken any ballast here since their discharge.

The nature of the goods landed being such as are frequently found on board ships engaged in the Slave Trade, public attention has been drawn to the case as a suspicious one, and I have requested the authorities here to have it investigated; this may lead to the vessel being freed from suspicion, but, if not, she must proceed from this to a British port, and I therefore request that you will send one of Her Majesty's ships of war here at once to convoy her, or give such other assistance as the case may require.

I may mention that the "*Indus*" cleared from Cadiz for Bermuda, and there is nothing in the ship's log-book to account for her not going to that port in place of coming here.

I have, &c.
(Signed) R. B. LAMB.

Inclosure 2 in No. 102.

Captain Hood to Vice-Admiral Sir J. Hope.

(Extract.) *December* 21, 1864.

I HAVE received a letter from Commander Scott informing me that he arrived at St. Thomas on the 12th, and after communicating with the Consul, and a due examination into the case of the barque "*Indus*," including a personal inspection of the ship's log-book and chart, came to the conclusion that there were no sufficient proofs to warrant the detention of the said barque, and she was therefore handed over to the consignees.

No. 103.

Vice-Admiral Sir J. Hope to the Secretary to the Admiralty.

Sir, "*Duncan*," *at Jamaica, May* 8, 1865.

I HEREWITH forward, for the information of the Lords Commissioners of the Admiralty, copy of a correspondence received from Captain Wake of the "Bulldog," relative to a screw-steamer calling herself the "*Margarita Quintero*," but suspected of being the notorious slaver the "*Ciceron*," in order that the information therein contained may be forwarded to the coast of Africa, should their Lordships see fit.

I have, &c.
(Signed) J. HOPE.

Inclosure 1 in No. 103.

Captain Wake to the Senior Officer, Coast of Cuba.

Sir, "*Bulldog*," *Sacrificios, Vera Cruz, March* 21, 1865.

I HAVE the honour to inform you that about fifteen days ago, a screw-steamer from Tampico, under the Mexican colours and calling herself the "*Margarita Quintero*," arrived at this port, for the purpose of legitimatizing change of nationality (from Spanish to Mexican) that had been effected at Tampico.

She professed to be bound from Vera Cruz to New York, viâ Havana, and had shipped at Tampico a small assorted cargo, chiefly goat skins, and a trifling amount of specie. I inclose, for your information, the copy of a letter addressed by Her Majesty's Acting Consul at this port to me, with reference to the said ship, and of my reply thereto; and I have also to inform you that from information subsequently received, there is no doubt that this vessel is no other than the notorious screw slaver "*Ciceron*;" that there is every reason to believe that she made her way to Tampico (knowing that there would be no British man-of-war at that port) for the purpose of effecting a change of nationality, thereby receiving, as it were, a certificate of honesty, without which it would have been dangerous for so well-known a ship to approach the neighbourhood of Her Majesty's cruizers.

Having heard of the inquiries I was making about the ship, her consignees, who did not deny her former bad character, took the alarm, and refused to allow her to sail until they had received from the shippers of the cargo at Tampico a written consent to her braving the dangers of capture, to which she was exposed by her ill fame. In the meanwhile, the Mexican Government, at the instance of Her Majesty's Minister at Mexico, ordered an inquiry to be made into the case by the Governor of Vera Cruz, which course has ended in nothing; and as I presume that the owners of the cargo at Tampico will consider the legality of the change of nationality and the perfect regularity of all her papers to be sufficient guarantee against the detention of the ship by Her Majesty's cruizers while their property is on board, the ship will probably shortly be allowed to sail on her voyage.

It seems not unlikely that she will transfer her trifling cargo, at Havana, to another vessel bound to New York, or else proceed to New York, and thence once more to the coast of Africa. I have therefore thought it my duty to call your attention to the matter, that you may take such steps as may seem to you feasible and advisable for the frustration of the nefarious purpose which there can be little doubt she entertains, supposing my information to be correct, of which I feel pretty sure.

I have, &c.
(Signed) CHARLES WAKE.

Inclosure 2 in No. 103.

Acting Consul Ledward to Captain Wake.

Sir, *Vera Cruz, March* 8, 1865.

I HAVE the honour to inform you that some two days ago a screw-steamer, called the "*Margarita Quintero*," entered this port, and from verbal information I have received, this steamer arrived at Tampico under Spanish colours, and there assumed the Mexican flag, preparatory to leaving that place for this port; and further, that she has hitherto been employed in the Slave Trade, but to enable her to enter Havana she has received cargo in Tampico for New York, viâ Havana, and been placed as before stated under a "flag."

I call your attention to these reports, as I have been given to understand that she is still destined for Slave-Traffic, the vessel having already made several successful trips from the coast of Africa to the Island of Cuba, and owing to her speed has hitherto escaped capture.

I have, &c.
(Signed) FREDK. LEDWARD.

Inclosure 3 in No. 103.

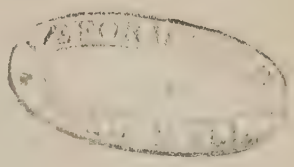
Captain Wake to Acting Consul Ledward.

Sir, "*Bulldog*," *Sacrificios, Vera Cruz, March* 11, 1865.

AS there is some reason to believe that the screw steamer "*Margarita Quintero*," now in this port, has been recently engaged in the Slave Trade, and is one of those vessels that have hitherto evaded all the efforts of the British cruizers to capture them, and as the Mexican law declaring Slave Trade piracy, dated 8th August, 1851, provides for the detention of ships, foreign or Mexican, that are suspected of being or having been engaged in the Slave Trade, I have to request that you will move the Mexican authorities to make inquiry into the antecedents of this ship before she assumed a Mexican nationality, and to detain her until the same can be done. I have been informed that on her change of flag at Tampico, she retained the Spanish captain, supercargo, and crew that brought her into that port, and I therefore also submit that the change of nationality that has been effected at Tampico, though admissible for the ends of legitimate commerce, ought not to be allowed, where the effect of the transaction (unintentional on the part of the purchasers) is to protect the owners, captains, supercargo, and crew of a notorious slaver from the consequences of their crime.

I have, &c.
(Signed) CHARLES WAKE.

Class B.



CORRESPONDENCE

WITH

BRITISH MINISTERS AND AGENTS

IN

FOREIGN COUNTRIES,

AND WITH

FOREIGN MINISTERS IN ENGLAND,

RELATING TO

THE SLAVE TRADE.

From January 1 to December 31, 1865.

Presented to both Houses of Parliament by Command of Her Majesty.
1866.

LONDON:
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Class B.

CORRESPONDENCE

WITH

FOREIGN POWERS.

AFRICA. (*Consular*)—*Bight of Benin.*

No. 1.

Acting Consul Glover to Earl Russell.—(*Received March* 14.)

My Lord, *Lagos, February* 3, 1865.

I HAVE the honour to inclose, for your Lordship's information, copy of a despatch from Commodore Wilmot, commanding Her Majesty's naval forces on this station, relating to affairs in the Benin River.

I have, &c.
(Signed) JOHN H. GLOVER.

Inclosure in No. 1.

Commodore Wilmot to Acting Consul Glover.

Sir, "*Rattlesnake,*" *near Lagos, January* 6, 1865.

1. I HAVE the honour to inform you that the original fine of fifty-five puncheons of oil levied on the Chiefs of the Benin River for the robbery committed at Dr. Henry's factory in 1863, as well as the other fine of thirty puncheons levied by myself in September last, in consequence of their breach of good faith, have both been paid, and that trade has been again reopened with the chiefs and natives.

2. I have considered it necesssary to impose a fine of twenty-five puncheons on Adjoke, at Warree, for the outrage committed on the person of Mr. Hineson, Clerk to Dr. James, Messrs. Harrison's Agent, and six months are allowed him to pay this.

3. In the meantime all trade between his two brothers and the white agents in the river is stopped.

I have, &c.
(Signed) A. P. EARDLEY WILMOT.

No. 2.

Acting Consul Glover to Earl Russell.—(*Received June* 9.)

(Extract.) *Lagos, May* 8, 1865.

IT is with much pleasure I have to report to your Lordship the improved prospects of this settlement.

The trade from the Yoruba country continues to increase rapidly, and now fills to overflowing the markets of Jebu, viz., Eginné and Ikorodu. I may observe that one European house alone in Lagos has purchased in the period from 1st to 30th April the large amount of 444 tons of palm oil, and that the warehouses of the merchants generally are filled. The only thing now needed is European merchandize (principally rum and tobacco) to purchase the oil with and ships to convey it hence.

Much of the oil brought to the above-mentioned markets remained unpurchased, in consequence of the unexpected supply, and had to be stored and kept for future sale.

Doubtless much remains to be done in order to afford due and permanent security to the traders now flocking to the Lagos markets from the Yoruba country, in allaying and repressing the petty jealousies of the numerous small but comparatively independent townships of Jebu-Odé and Jebu-Remo, to the attainment of this object I am devoting my utmost attention. It has been arranged that I am shortly to meet Ogumollah, Chief of Ibadan, together with messengers from the King of Oyo, and all the Chiefs of the Yoruba country, at a grand "Durbar," (at which I hope to obtain the attendance of the Chiefs of the Jebu countries) to be held at Iperu or some town and way on the line of route between Ikorodu and Ibadan, for the purpose of fixing the rate of toll to be paid for transit, and to cement the alliance and friendship lately entered into between the Ibadans, the Jebus, and this Government.

In conclusion I have only to observe that instead of the scarcity of food and the exorbitantly high price for provisions consequent upon the late blockade by the Egbas of all the roads from the interior leading to this Settlement, we now enjoy the greatest abundance, and as a natural consequence the price of provisions of all kinds has fallen to a very great degree. I may instance as an example the price of a sheep, which, while it commanded the sum of 22*s.* 6*d.* in this market before the opening of the roads, can now be obtained for the sum of 10*s.* sterling. A considerable number of horses have also been brought into the Settlement, and a general feeling of security and rejoicing appears to prevail among the population of the Settlement, unless I except the Egba tribe, who are naturally discontented and depressed at the turn affairs have taken.

I have further the honour to report that, late last night, portions of an extensive present, consisting of palm oil, cotton, and the native produce of Ibadan and Yoruba, arrived here in Lagos. This present has been made up by contributions from the various towns in the Yoruba country, and has been sent as an expression of the gratitude felt towards this Government for the measures adopted by us in opening the roads. I having declined to accept the usual testimonial on such occasions, viz., a present of slaves (of which 200 were to have been sent to me), the King of Oyo and Chiefs of Ibadan and the Yoruba country thought that a sample of what their trade could produce would please me; up to the present moment 176 loads have arrived, consisting of palm oil, Shea butter, and cotton, and I am informed that much more is on the road, and will arrive here to-morrow. I shall have the goods sold for the benefit of this Government, but I am unable at present to form an approximate estimate of their value.

No. 3.

Earl Russell to Acting Consul Glover.

Sir, *Foreign Office, June* 23, 1865.

I TRANSMIT to you under flying seal the accompanying despatches for Lieutenant Bourchier, R.M., who was left last year in charge of the late Dr. Baikie's establishment on the Niger.

You will see by my despatch of this date that it is the wish of Her Majesty's Government that Lieutenant Bourchier and Mr. Robins should continue for another season at Lukoja, but it will be requisite to be prepared to replace them in the event of their wishing to return to the coast; and I have accordingly to desire that you will communicate with Commodore Wilmot, should he be in the neighbourhood of Lagos, and arrange with him for sending a fit and proper person to relieve Lieutenant Bourchier; but

should you be unable to communicate with the Commodore, I must then leave it to your discretion to make such arrangements as may be necessary for keeping up the establishment at Lukoja for another year.

I have been informed by the Lords Commissioners of the Admiralty that they are doubtful whether there is any vessel now on the coast that is in a fit condition to ascend the Niger this year; and should this be the case, of which you will probably be aware, it will be necessary that you should inform Lieutenant Bourchier of the fact, in order that he may make his arrangements accordingly, either to return by the merchant steamer when she descends the river, or, if he decides upon remaining, that he may make the necessary provisions for doing so.

I have directed supplies to be sent out by the packet of the 23rd July, as well as some presents for King Massaba, of which you will receive a list by the next mail.

If a Government steamer is sent up the Niger you will forward the goods and presents by her; but in the event of there being no ship of war fit for the expedition, you will then avail yourself of the opportunity afforded by the merchant steamer.

I am, &c.
(Signed) RUSSELL.

No. 4.

Acting Consul Glover to Earl Russell.—(Received July 17.)

(Extract.) *Lagos, June* 9, 1865.

I HAVE the honour to report that, up to the present moment, the political situation and prospects of this Colony are rapidly improving, and presenting every indication of a settlement of the quarrels which have so long oppressed the surrounding country, and which the Egbas are now alone maintaining.

2. The commerce of the Settlement is in a most thriving condition; but the sudden and enormous demand for goods has entirely cleared the Lagos market. Until further supplies arrive matters will be almost at a standstill. Nevertheless, oil and other produce is coming from the Yoruba countries in great quantities. The house referred to in my last despatch, as having collected, in one month, 444 tons of palm oil, has succeeded in again collecting as large an amount in the same short space of time, and is now only checked by the complete exhaustion of European goods and cowries. Other houses have done equally well; and the present trade with the natives is unprecedented in any year since this Settlement has been ceded to the British Crown.

3. To instance the rapidly increasing demand, I may mention that an Italian house in the Settlement, having received a cargo of the average value of 3,000*l.*, of rum and tobacco, has netted a clear profit of 6,000*l.*, or thereabouts, on its sale; so great is the demand for these goods from the Yoruba country.

No. 5.

Earl Russell to Acting Consul Glover.

Sir, *Foreign Office, July* 24, 1865.

WITH reference to my despatch of the 23rd ultimo, I transmit to you herewith a letter from the Queen for King Masaba. I also inclose, for your information, a copy of the letter in question, together with a list of the presents for the King which I have directed to be forwarded by this mail.

I must leave it to your discretion to forward the letter and presents in charge of a proper officer to Lieutenant Bourchier, at Lukoja, who will deliver them to the King; but the officer who takes charge of them should be authorized to deliver the presents himself to King Masaba in the event of Lieutenant Bourchier being prevented by illness or any other cause from performing this duty.

Inclosure 1 in No. 5.

Queen Victoria to King Masaba.

From Victoria, Queen of the United Kingdom of Great Britain and Ireland, to the Emir Masaba, King of Nufi.

Greeting:

THIS is to inform you that we have received the letter that your Highness forwarded to us through Captain Glover, our Consul and Governor of Lagos.

We thank you for your good wishes in our behalf, which we heartily reciprocate, and we trust that you may enjoy a long life, with health, happiness, and prosperity.

Our servant, Dr. Baikie, who for so long a period resided in your Kingdom at Lukoja, you will be sorry to hear is dead; but we will send another officer who shall be the interpreter of our wishes, and who will faithfully report to us all that your Highness may have occasion to communicate, and we would request your Highness to afford him the same kind protection and support you always extended to the late Dr. Baikie.

Our chief wish is to put a stop to the Traffic in Slaves, and to prevent their being carried away in ships by wicked men from Africa to foreign countries, and we ask your Highness to use your great influence to put a stop to this Traffic and to prevent the wars that are undertaken in many cases for the sole purpose of procuring slaves to be sold for shipment beyond the seas.

We would also ask your Highness to encourage your subjects and the traders within your territories to bring the produce of their country to trade with the merchants who will go from this country to trade with your people.

This will be to the advantage of all parties, and will tend to increase the goodwill and friendship which it is our earnest wish should always exist between us and between your people and our people.

We have sent you some presents, which will be delivered to you by the officer who will deliver to your Highness this letter.

We request you to accept our best wishes, and so we recommend you to the protection of the Almighty.

Given at our Court at Osborne, the 20th of July, 1865, in the twenty-ninth year of our reign.

Your good friend,
(Signed) VICTORIA.

(Countersigned) RUSSELL.

Inclosure 2 in No. 5.

King Masaba to Queen Victoria.

(Translation.)

THIS is a trustworthy letter, a salutation, a greeting, and satisfaction, and friendship, and a command, from the Sultan of Nifi to the Queen, a Sultana of some of the country of Christendom, the great Queen who possesses a great extent of dominion by sea and by land.

(This is) a notification unto thee, that thy messenger has reached us in health and safety, with what thou hast made a present of unto us, in three cases sealed with a signet, the which no one has opened save only he to whom they are given. I opened them myself, and I found therein what thou hadst there placed, the present given by thee unto the Sultan of the land, as is fitting. I thanked thee for it with many thanks; and I say, may God prolong thy glory, lengthen thy life, and help thee against thy enemies!

A notification unto thee that all which was your wish, the elephant's tusks and oil, red and white, and also the cotton, are all produced in our land at all times. As to our wish about the commodities of your country, they are all in request with us. Salve.

P.S.—A notification unto thee also. All that is between Atakaru and this our village is under our rule; the peace thereof too pertains unto us. What is beyond that, as far as your village, is under your rule, and the peace thereof appertains unto you.

(No signature, seal, or date.)

No. 6.

Acting Consul Glover to Earl Russell.—(Received August 11.)

(Extract.) *Lagos, July* 8, 1865.

REFERRING to my despatch of 9th June, I have the honour to observe that the events of the past month have fully corroborated the anticipations therein contained. The trade of this settlement has, during the past month, continued steadily to increase. Provisions of all kinds are abundant, and a feeling of satisfaction and security pervades the minds of all in the settlement.

At Porto Novo, the principal source of our supply of palm oil during the last four years, the value of that article is 1*l.* sterling for a ten gallon measure of oil, while at Lagos the market price of the same measure is 14*s.* This fact speaks for itself as to the increasing influx of this important item of Lagos commerce.

We can anticipate no extraordinary increase of revenue before the month of August, but I may observe that, on the cargoes of vessels at present discharging in the roads, 1,200*l.* of customs duties will be received.

No. 7.

Acting Consul Glover to Earl Russell.—(Received September 11.)

My Lord, *Lagos, August* 7, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 23rd June, and in compliance therewith, have requested Lieutenant Bourchier to meet me at the Nun mouth on or about the 25th, to receive the presents which are to arrive by the mail of the 22nd instant, and to hear from that officer whether it is his intention to remain for another season, as from two communications received from Lieutenant Bourchier on the subject, I am unable to determine what his intentions may be.

2. In the event of Lieutenant Bourchier wishing to return to England, I have selected Mr. Maxwell, Assistant Paymaster of Her Majesty's ship "Investigator," to take charge of the duties of the post. He is an active, energetic officer, of tact and discretion, who rendered very valuable service in opening communication with the Ibadans at the time the country was occupied by the Egbas; added to which, he is known to King Masaba.

Her Majesty's ship "Investigator" is in course of preparation, and will be ready for the service of the Niger when required.

I have, &c.
(Signed) JOHN H. GLOVER.

No. 8.

Acting Consul Glover to Earl Russell.—(Received October 10.)

My Lord, *Lagos, September* 8, 1865.

I HAVE the honour to report to your Lordship that Lieutenant Commander J. G. G. M'Hardy, of Her Majesty's ship "Investigator," informs me that he communicated on the 5th instant, at the Nun Mouth, with Lieutenant Bourchier, and delivered to that officer the three cases of presents and Her Majesty's letter for the Emir of Nuphé.

2. Lieutenant Bourchier, by a despatch dated 5th September, informs me that it is his desire to return to Europe this season. I have consequently made arrangements with the senior naval officer in these lagoons that on the arrival of the mail from England on the 22nd instant, Her Majesty's ship "Investigator" shall proceed to Lukoja for the purpose of bringing Lieutenant Bourchier down, and I have appointed Mr. Melvill Maxwell, R.N., to assume the duties of the post for the ensuing year.

I have, &c.
(Signed) JOHN H. GLOVER.

No. 9.

Earl Russell to Acting Consul Glover.

Sir, *Foreign Office, October* 19, 1865.

I HAVE received your despatch of the 8th ultimo, and I have to convey to you my approval of the arrangements you have made for relieving Lieutenant Bourchier from his duties as officer in command of the Niger Expedition, and of your having appointed Mr. Melvill Maxwell, R.N., as his successor.

I am, &c.
(Signed) RUSSELL.

No. 10.

Acting Consul Glover to Earl Russell.—(Received November 16.)

(Extract.) *Lagos, October* 4, 1865.

IN reference to your Lordship's despatch of the 23rd June, I have the honour to inform your Lordship that, with the sanction of the senior naval officer, I have appointed Mr. Melvill Maxwell, Assistant Paymaster of Her Majesty's ship "Investigator," to relieve Lieutenant Bourchier, R.N., in the duties of his post at Lukoja, that officer having expressed a wish to return to Europe.

No. 11.

Acting Consul Glover to Earl Russell.—(Received November 16.)

My Lord, *Lagos, October* 6, 1865.

I AM forwarding by this mail to the Colonial Office, for Her Majesty's Government, an umbrella and flag, accompanied by a letter, received by me from the King of Dahomey, together with my reply thereto.

2. The custom of this country precludes the refusal of a present, unless a slight or declaration of war or enmity is intended.

3. I was careful, however, distinctly to ascertain, before receiving these presents, whether such acceptance would imply a co-operation in the allegory they contained. On the assurance of the messenger that such acceptance would not be considered as an assent to co-operate in the warlike intentions of the King of Dahomey, I received them on this distinct understanding.

4. This being the first occasion upon which the King of Dahomey had ever sent messengers to Lagos, I thought that it would be unwise to allow the opportunity of entering into friendly communications with that potentate to be passed over; and I would venture to suggest to your Lordship that on any future occasion, when Her Majesty's Government may wish to communicate with the King of Dahomey, such communications should pass through the Government of Lagos, which the King appears now to recognize as an important power in this country.

I have, &c.
(Signed) JOHN H. GLOVER.

Inclosure 1 in No. 11.

The King of Dahomey to Lieutenant-Governor Glover.

My dear Friend, *Kannah, August* 5, 1865.

I SEND you per the bearers one country cloth for your table; I send you one umbrella for out of door country use. This umbrella I send to you as you are a Governor for the Queen of England.

The same as I send to one in such position who is Governor of mine in Africa, also one leather bag and leather fob for pipes. I send to you again two boys, one for your table servant, and one for your washing boy, too. I send you one Dahomey flag; and there is some parable made in the middle of that flag—that is a deer made in the flag, and

there is a leopard hold the neck of that deer which represents King of Dahomey; and in the back of that beast or deer made in the flag, one man by the name of Goomola Ibadan hold it there, and in the leg of that beast or deer made in the flag, is held by the Governor of Lagos, John Hawley Glover, Esquire. A parable is made in the flag I send to you—that is Abbeokuta is in the middle of us three, and we all will eat it together at once. As for the Abbeokuta, I can't let them rest at all. I and you will join and break that town down, and after I break that town, then you, my good friend, will rule over it. That ground must be yours, the English people; you English are the only white man who will govern it. After it was taken by me I will give it up to you to take the place and do with it as you like; therefore I will break it down. I heard some news lately, that you have opened the road for them; and the King of Abbeokuta says, as for the English people part, there is no harm at all if he, Abbeokuta, uses some hard words to the English they will soon give up, as for white man he will finish and settle with them; therefore he don't care of the English people; so I send to ask you whether you heard or no. The King of Abbeokuta says that he is coming to beg you, not for begging sake, but they are going to deceive you, the English people, and say they are under your flag, and bye and bye they will rise against you. This is the message I hear lately, and I will tell you, don't hear what they are coming to tell you; only they are coming to deceive you. I give some part of the message verbal to the messengers: they will tell you all by mouth; they will tell you all verbally, not only by letters alone you will hear. I like you, the English, to be our friend, not friend alone, but like one finger in one hand, as in the time of one of my ancestors, Tabasoo. He made friend and peace with James, the English Governor of Whydah, at that time, when this King made strong friendship with him; that time just the same, this King Tabasoo went to same place to war, so he defeated that place, and this James helped him. This is the reason I, the present King Tengay, will make such a friendship with you.

I hope this will meet you quite well: with my love to you, Addanleyjah, Bocow-nocone, Yoboka; all in me send their love to you.

I am, &c.

(Signed) KING TENGAY OF DAHOMEY.

P.S.—Excuse the writer, Sir, as he is very little known of letters.

Inclosure 2 in No. 11.

Lieutenant-Governor Glover to the King of Dahomey.

Your Majesty, *Lagos, September* 15, 1865.

I HAVE received your letter of the 5th August, together with your presents; the umbrella is very handsome, and I shall send it to the Queen. I thank you very much for these presents, which are worthy of a King.

2. With regard to joining you to eat Abbeokuta, it is a subject which I am not at liberty to discuss with you. You are a King and can do what you please, but I am only the Queen's Governor, and can do only what the Queen wishes.

3. As the Queen does not wish Abbeokuta to be eaten, I, as her Governor, cannot even enter into the subject with you.

4. You ask me for my advice, as your friend, so I must warn you that your present mode of warfare is not such as to enable you to eat Abbeokuta.

5. I trust that the communications which I have commenced between us will continue, and result in benefit to both our countries.

6. I am sorry again to inform you that the King of Porto Novo has treated myself and the Queen's people very badly, and continues to help the Egbas.

7. I have written to the Queen's Government for instructions regarding the King of Porto Novo..

8. I hope we may salute each other very often by our messengers. The Queen wishes this country to be in peace this dry season; consequently I have shut up all the guns and powder in Lagos.

9. I hope that the small present I send you will be acceptable.

10. I am much pleased with the messengers you sent me, and have talked with them a great deal. They will, no doubt, as faithful servants, tell you all they have seen and heard in Lagos.

I have, &c.

(Signed) JOHN H. GLOVER.

No. 12.

The Earl of Clarendon to Acting Consul Glover.

Sir, *Foreign Office, November* 23, 1865.

I HAVE received your despatch of the 6th ultimo, inclosing copies of a correspondence which has passed between the King of Dahomey and yourself on the occasion of his forwarding to you some presents.

I have to acquaint you that I approve the answer returned by you to the King's letter, and I have at the same time to desire that you will omit no opportunity of discountenancing as much as possible any attempt on the part of the King of Dahomey to make war on Abbeokuta, Porto Novo, or any of the neighbouring tribes.

With regard to your suggestion that any future communications between Her Majesty's Government and the King should pass through the Governor of Lagos, I have to observe that when the new arrangements are carried out, and a Governor-General is appointed for the African Coast, the officer appointed to that post will be informed of your suggestion, in order that he may make the arrangements he may think best for keeping up communications with the King of Dahomey.

I am, &c.
(Signed) CLARENDON.

No. 13.

The Earl of Clarendon to Acting Consul Glover.

(Extract.) *Foreign Office, November* 23, 1865.

I HAVE received your despatch of the 4th instant, and I have to acquaint you that I approve the arrangement made by you as therein reported for the relief of Lieutenant Bourchier, who was in charge of the Niger Expedition.

No. 14.

Acting Consul Glover to Earl Russell.—(Received December 11.)

(Extract.) *Lagos, November* 7, 1865.

I HAVE the honour to report for your Lordship's information, that Her Majesty's ship "Investigator" returned from the River Niger to this anchorage on the 2nd instant, bringing with her Lieutenant Bourchier, R.M., and Mr. Robins, artist to the expedition.

Lieutenant Bourchier reports, that before leaving the Niger, he had handed over Her Majesty's presents and the Queen's letter, in person, to the Emir of Nuphé; and had also introduced to that potentate his successor, Mr. Melville Maxwell, R.N., whose appointment, together with that of Mr. Fell, I have already had the honour to report.

Mr. Bourchier is leaving under my charge a ram, ewe, and lamb, as presents from the Emir to the Queen. It was not, however, considered advisable to send them to England at this time of the year.

Mr. Bourchier proceeds home by the present mail, having been ordered a passage to England at the public expense by the Commodore Commanding.

Mr. Robins, the artist, informs me that it is his intention to proceed to England by the same opportunity.

I have informed this gentleman that it would be desirable that he present himself at the Foreign Office, together with such pictures as he may have executed during his stay in the Niger.

No. 15.

Acting Consul Glover to Earl Russell.—(Received December 11.)

(Extract.) *Lagos, November* 7, 1865.

I HAVE the honour to inclose, for the information of your Lordship, a document which will furnish ample proof of the Slave Trade still existing between Abbeokuta and Whydah.

Mr. Henry Robbin, a British-born Sierra Leone subject, generally considered the most influential and respectable of the Sierra Leone emigrants residing at Abbeokuta, has been and still is engaged in this nefarious traffic.

In July, 1863, the Reverend Messrs. Nicholson and Mann, when at Okeodan, fell in with a Christian boy, who, on examination, they found capable of reading the Psalms in the native tongue; and who stated that in consequence of a debt owed by his mother to the said Mr. Henry Robbin, he had been sold by the said Henry Robbin on account of this debt.

In December, 1864, I am informed that previous to his departure for Sierra Leone he sold, or caused to be sold, two of his domestic slaves.

Inclosure in No. 15.

Deposition of Daniel Dopemu, a Christian Convert at Abbeokuta.

I AM slave to Mr. Henry Robbin at Abbeokuta. I was bought by him four years ago for fourteen bags and four heads cowries.

I was employed to bring the Rev. Mr. Moore to Lagos in a canoe belonging to my master; in returning, the canoe and cargo were seized and confiscated, in consequence of a bag of shots that was found concealed in a bag of cowries. I got Mr. Moore's friend to buy the canoe at the public auction and return in her to Abbeokuta.

My master asked me whether it was I who put the shots in the bag of cowries. I told him no; he then said fortunately it is not you; for if it was you who did it, I would have killed you.

Five days afterwards, my master called me and said, I would return you to your former master, as I have heard you have got a disease, and I would not lose my money.

The Christians at Abbeokuta on hearing it, came and beg him not to sell or return me to my former master; they asked the amount for which I was bought; he told them, he bought me for thirty-one bags of cowries. As they all knew that he had only paid fourteen bags for me, they all returned without saying anything more.

Mr. Robbin then put me in chains, in which I remained for five days in his house; and after that, he handed me over to one Lumeye a slave-dealer, who shaved my head and kept me in chains at his house for seven days, and was preparing to take me, as he said, to Okeodan. Lumeye said to me himself that, as the people had begged Mr. Robbin and failed, I should be quiet and not run away, as he would not sell me at Okeodan as he was requested by Mr. Robbin, but that he would sell me to the son of the late King of Porto Novo, who will treat me kindly.

After Mr. Robbin had handed me over to Lumeye, I am told, he went to the Rev. Mr. Townsend and imformed him that my former master had claimed me from him and had taken me away.

After I remained in chains at Lumeye's house for seven days, I was glad to find on the night of the seventh day that the chains fell off from me during a very strong wind that was then blowing. I then wrapped the chains in my cloth and escaped. I left the chains in an Oro bush at Illugun. I came through Oko-obba to Makoloki, and from thence to Otta in a canoe, and then to Lagos overland from Otta. This is the tenth day since I escaped from Abbeokuta.

I was told by Captain Davies, a few days ago, that Mr. Robbin had written to himself and Mr. Beckley, to say that my former master had claimed me from him and taken me to Porto Novo; and if they should happen to see me, they should not believe any word I may say against him, and that he believe I was to be taken to Dahomey.

(Signed) DANIEL DOPEMU, his ⋈ mark.

On this 31st day of October, 1865, the foregoing deposition was sworn to by Daniel Dopemu, at Lagos.

Before me,

(Signed) BENJAMIN WAY, *Chief Magistrate.*

AFRICA. (*Consular*)—*Bight of Biafra.*

No. 16.

Consul Livingstone to Earl Russell.—(*Received May* 15.)

My Lord, *Fernando Po, April* 3, 1865.

I HAVE the honour to report that the difficulty with King Pepple, of Bonny, has been amicably settled, and trade resumed.

This satisfactory result was obtained through the tact and good judgment of Commander Ruxton, of Her Majesty's ship "Pandora," under orders from Commodore Wilmot.

The King and his Chiefs acknowledged the infractions of the Treaty, expressed regret and sorrow for giving Her Majesty's Government so much trouble, and begged that Commander Ruxton, would, if possible, abate part of the fine. As the end for which it had been imposed was now obtained, the Commander generously decreased the amount one-half, which was paid at once.

Not being aware of the "Pandora's" presence in Bonny, and having no means of visiting the rivers of the Bight, I was not present when this affair was so happily settled.

I have, &c.
(Signed) CHARLES LIVINGSTONE.

No. 17.

Consul Livingstone to Earl Russell.—(*Received July* 17.)

(Extract.) *Fernando Po, June* 3, 1865.

IN my despatch of the 31st January, I had the honour to ask your Lordship for the use of the "Pioneer," in order to secure free trade with the oil products of the Bight of Biafra; and I now beg leave to suggest that the "Pioneer" be stationed in this Consular district to enable me to insist that the Treaty of May 7th, 1862, made with the Chiefs of Duke and Creek Towns, Old Calabar, be carried out, as one of its articles stipulates that any person shall be at liberty to bring to the shipping any native produce. After making this Treaty, Consul Burton attempted to go up the river in boats to see the oil markets, but was stopped by the men of Itu. These people have since told the Rev. Mr. Thomson, those boat and person they seized on that occasion, that had they known the real object of the expedition they should have offered no opposition; that the Duke Town people had deceived them, and now they were anxious to have free trade on the river, and heartily ashamed of their past conduct. A young, educated native of a village above Duke Town, believing that the Treaty would be faithfully carried out, commenced a brisk trade with the ships, but in a short time his canoes were seized by the Duke Town Chiefs, himself imprisoned, and compelled to pay a fine of 300*l.* sterling, and all trade of the natives above was stopped, except what passed through the hands of the Duke and Creek Town brokers. The Rev. Mr. Thompson, from his own limited private means, and aided by a few friends in Glasgow, has enabled the young man, who was educated in the Mission school, to pay the fine. The presence of the "Pioneer" at Duke Town, with stoppage of their trade if necessary, would soon compel them to abide by the treaty. A white trader was assaulted last month in the streets of Duke Town, and King Archibong declines to carry out the VIth Article of the Treaty for the protection of white men.

No. 18.

Consul Livingstone to Earl Russell.—(*Received September* 11.)

(Extract.) *Fernando Po, July* 18, 1865.

I BEG to forward the following information received from a correspondent:—

"Wednesday, May 3rd, sailed from Batta towards Benito. A large black fore and aft schooner being in company on weather beam, colours not shown.

"Thursday, May 4th, and five following days, or up to the 9th, saw same schooner daily; and on Saturday 13th was informed by the natives of Torbané, Umber Point near Benito, that the said schooner was a slaver with her cargo of slaves on board, and that the captain having died, the chief officer had run the vessel on shore somewhere betwixt Cape Esterios and Point Clara on southern side Corisco Bay, and that the natives were enslaving the human freight as fast as they could get them ashore."

The natives said that this slaver was bound for Brazil with her slaves.

This schooner may be the "Emigrante," with the "white streak round her hull" obliterated.

I shall communicate the above to the first cruiser which calls at this port.

BRAZIL.

No. 19.

Earl Russell to Mr. Thornton.

Sir, *Foreign Office, September* 8, 1865.

I TRANSMIT to you, for your information, a copy of a despatch,* from the Acting British Consul at Bahia, correcting an error into which Mr. Hunt had fallen when, in his Report of the 22nd of March last, he stated that the 396 Africans said to have been liberated by order of the Brazilian Government were at that time still held in bondage.

I am, &c.
(Signed) RUSSELL.

No. 20.

The Earl of Clarendon to Mr. Thornton.

Sir, *Foreign Office, November* 25, 1865.

YOU will see, on referring to the archives of Her Majesty's Legation at Rio, that at the time of the suspension of diplomatic relations between this country and Brazil a correspondence was being carried on between Her Majesty's Representative at Rio and the Brazilian Government upon the question of the treatment of the negroes who had been emancipated under the auspices of the Mixed Commission Court at Rio de Janeiro, and who had not received their freedom.

I have to acquaint you that it is not the wish of Her Majesty's Government that you should, on the resumption of diplomatic relations with Brazil, enter upon former matters of controversy connected with this question. You will, however, take an opportunity of stating that Her Majesty's Government learnt with satisfaction the promulgation by the Emperor of Brazil of the Decree dated the 24th of September, 1864, granting emancipation to all liberated Africans existing in the Empire, and you will at the same time ask how far it has yet been carried out, and how many of these people are still waiting for the beneficial operation of the Decree.

I am, &c.
(Signed) CLARENDON.

No. 21.

Mr. Thornton to Earl Russell.—(Received December 2.)

My Lord, *Rio de Janeiro, November* 2, 1865.

GENERAL WOOD, of the late so-called Confederate States, has lately arrived here, and has made to the Brazilian Government some proposal, with the exact nature of which I am not yet acquainted, with regard to immigration into this country from the Southern States of a number of families, to the amount of about 60,000 souls.

I have the honour to inclose copy of a letter addressed by the Minister of Agriculture to General Wood, and I chiefly trouble your Lordship with this letter for the purpose of bringing to your notice an extract from it, a translation of which is inclosed, in which the Minister of Agriculture declares that, in accordance with the laws of Brazil, no negroes, either slaves or free, can be admitted into the country; and that if, therefore,

* No. 27.

General Wood's countrymen who propose to come here should possess any slaves they must previously dispose of them.

Indeed, whatever may be the feeling of a few landed proprietors in the interior, I understand that there is the greatest desire on the part of the Brazilian Government and authorities in general that no importation of negroes should take place.

General Wood has gone to the province of St. Pauls for the purpose of seeing whether any advantageous spots can be found there on which his countrymen can establish themselves.

I have, &c
(Signed) EDWD. THORNTON.

Inclosure in No. 21.

The Minister of Agriculture to General Wood.

(Translation.)
(Extract.)

AMONGST the property which they bring there is one which the Legislature does not permit to be imported, which is that represented by slaves, and I may further say that even the importation of free Africans is prohibited by law. If, therefore, any of the immigrants possess property of that nature, they ought to dispose of them. I will not say by this however, that once they are amongst us, they may employ their capital in that manner; unfortunately we still have slaves, and that trade is permitted in the Empire, from one province to another.

BRAZIL. (*Consular*)—*Bahia.*

No. 22.

Earl Russell to Consul Morgan.

Sir, *Foreign Office, January* 28, 1865.

WITH reference to your despatch of the 6th of September last, stating that a Decree had been signed by the Emperor, although not published, ordering the emancipation of all liberated Africans existing in Brazil, I have to desire that, if you have the means of doing so, you will furnish me with a list of all negroes set free under that Decree, showing, if possible, that they have really obtained their freedom.

I am, &c.
(Signed) RUSSELL.

No. 23.

Acting Consul Baines to Earl Russell.—(Received February 7, 1865.)

(Extract.) *Bahia, December* 31, 1864.

I HAVE the honour to transmit herewith to your Lordship the accompanying list f the certificates of freedom issued by order of the Presidency of this Province.

Inclosure in No. 23.

CERTIFICATES of Freedom have been issued to the following number of Emancipated Slaves by order of the Presidency of this Province.

Number of Slaves.	How and where Employed.	Remarks.
58	At the Morro de S. Paulo as labourers	Government works.
16	In the employment of the Commendador José de Barros Reis	Ditto.
15	In the service of different persons	Ditto.
37	In the Misericordia Hospital in the town of Nazareth ..	Ditto.
2	In the Misericordia of Maragogipe	Ditto.
8	In the public gardens of this city	Ditto.
24	In the Quinta dos Lazaros	Ditto.
160		

British Consulate, Bahia, December 31, 1864.

(Signed) H. B. BAINES, *Acting Consul.*

No. 24.

Acting Consul Baines to Earl Russell.—(*Received February* 7, 1865.)

My Lord, *Bahia, December* 31, 1864.

I HAVE the honour to transmit herewith the half-yearly Return of the prices of slaves in this city.

I have, &c.

(Signed) H. B. BAINES.

Inclosure in No. 24.

RETURN of the Prices of Slaves within the District of the Consulate of Bahia at the respective times undermentioned.

	For the half-year ending June 30, 1864.		For the half-year ending December 31, 1864.	
	Currency.	Sterling.	Currency.	Sterling.
	Reis.	£ s. d.		
African Males	1,500$000	162 10 0	No alteration	in prices.
„ Females	1,000 000	108 6 8		
Creole Males	1,200 000	130 0 0		
„ „ with profession	2,000 000	216 13 4		
„ Females	800 000	86 13 4		

British Consulate, Bahia, December 31, 1864.

(Signed) H. B. BAINES, *Acting Consul.*

No. 25.

Consul Morgan to Earl Russell.—(*Received September* 1.)

My Lord, *Bahia, August* 4, 1864.

IN Mr. Consul Hunt's despatch to your Lordship on the 22nd of March last, printed in the Appendix to the Slave Trade papers presented to Parliament this year, an inclosure was transmitted giving a nominal list of the liberated Africans existing in this Province to the number of 396, as still held in bondage at that date.

I beg to report to your Lordship that Mr. Hunt has been misinformed.

The Imperial Decree, No. 3,310, of September 24, 1864, was ordered to be executed here by Ministerial "avizos" of the 30th September and 20th October of last year, and forms of the certificates of emancipation were transmitted to be signed by the Judge of Orphans, as well as instructions for the proper registration of the same at the Police Department, and for the delivery of these papers to the Africans.

In the Presidential despatches of the 13th and 31st October, 1864, addressed to the Chief of Police and to the Judge of Orphans, the Ministerial "avizos" alluded to above were ordered to be fulfilled; and as soon as the certificates of emancipation were granted,

the names of the respective liberated Africans were published in the "Diario de Bahia," the official Gazette of this Province, and those 396 Africans were placed in the enjoyment of their complete liberty.

Had such not been the case, Mr. Consul Morgan would, no doubt, have considered it his duty to communicate the fact to your Lordship.

I beg to hand herewith translated copy of one of these certificates of emancipation, which was given to the African Hermillo, who is at present a servant in my house, earning 30 milreis a month for himself, but who is reported by Mr. Hunt to be still in bondage, and figures under No. 184 in the nominal list inclosed in that gentleman's despatch mentioned above.

I have, &c.
(Signed) JOHN CHAS. MORGAN.

Inclosure in No. 25.

Certificate of Emancipation.

(Translation.)

DR. MANOEL VIEIRA TOSTA, Municipal Judge of the 1st Vara, and 1st Substitute of the Judge of Orphans and Absentees in this loyal and valorous city of St. Salvador Bahia of all Saints and its district, for His Majesty the Emperor, whom God preserve, &c.

I hereby make known to all the authorities and persons, whom the present may concern, that the Imperial Government having taken into consideration the petition made to it by the free African Hermillo, of the Congo nation, registered under No. 627 of the cargo of . . . . imported on the 5th January, 1856, and whose services were entrusted to the Public Works of the Morro de St. Paulo, the said Government have been pleased to order that by these presents he be emancipated and in full liberty, in conformity with the Decree No. 3,310 of 24th September, 1864, with the condition of residing . . . . and obliged to employ himself, or hire himself for wages, as is determined by the aforesaid Decree.

And this title I order to be delivered to him for his security; the same being signed by me.

Bahia, October 31, 1864.

(Signed) MANOEL VIEIRA TOSTA.

I, the Scrivener of the Judge of Orphans, drew out the present.
(Signed) JOSE OLIMPIO G. DE SOUZA.

Let it be executed and registered.
(Signed) VILLABOIM, *Chief of Police.*

Characteristic signs of the African Hermillo,—Face, regular; eyes, black; nose, flat; lips, thick; ears, small; mark, *r* on right shoulder.

BRAZIL. (*Consular*)—*Maranham.*

No. 26.

Vice-Consul Wilson to Earl Russell.—(*Received February* 20.)

My Lord, *Maranham, January* 4, 1865.

I HAVE the honour herewith to transmit to your Lordship a Return of the prices of slaves within the district of this Vice-Consulate during the six months ended 31st day of December, 1864.

I have, &c.
(Signed) WILLIAM B. WILSON.

Inclosure in No. 26.

RETURN of the Prices of Slaves within the District of the Vice-Consulate of Maranham, during the Half-year ended 31st day of December, 1864.

	Currency.		Sterling.						Remarks.
	Reis.	Reis.	£	*s.*	*d.*	£	*s.*	*d.*	
African Males	..	.. ..	..			..			African slaves are few and aged, therefore no quotations can be given.
„ Females . ..	..	.. ..	..			..			
Creole Males	1,000$000	to 1,100$000	114	11	8	to 126	0	10	
„ „ with professions	1,100 000	1,300 000	126	0	10	148	19	2	Continue to be eagerly bought up by the cotton-planters.
„ Females	1,000 000	1,100 000	114	11	8	126	0	10	

Exchange on England, 8$727 reis to 1*l.* sterling.

British Vice-Consulate, Maranham, December 31, 1864.

(Signed) WILLIAM B. WILSON, *Vice-Consul.*

BRAZIL. (*Consular*)—*Pára.*

No. 27.

Acting Consul Blandy to Earl Russell.—(*Received February* 20, 1865.)

My Lord, *Pará, December* 31, 1864.

I HAVE the honour to inform your Lordship that there has been no renewal of the African Slave Trade within the jurisdiction of this Consulate during the quarter ending this day.

I have, &c.

(Signed) ALFRED ADDISON BLANDY.

No. 28.

Acting Consul Blandy to Earl Russell.—(*Received February* 20, 1865.)

My Lord, *Pará, December* 31, 1864.

I HAVE the honour to inclose your Lordship a Return showing the average prices of slaves within this jurisdiction during the six months ending this day.

I have, &c.

(Signed) ALFRED ADDISON BLANDY.

Inclosure in No. 28.

RETURN of the Average Prices of Slaves during the Half-year ending this 31st day of December, 1864.

	Reis.	Reis.
African Males (worn out)	1,000$000	
„ Females „	800 000	
Creole Males	900 000	to 1,200$000
„ Females	1,000 000	1,200 000
„ Males with trades	1,200 000	1,600 000
„ Females „	1,200 000	1,600 000
Infants under 5 years	400 000	800 000
Children from 5 to 14 years	500 000	1,500 000

British Consulate, Pará, December 31, 1864.

(Signed) ALFRED ADDISON BLANDY, *Acting Consul.*

No. 29.

Acting Consul Blandy to Earl Russell.—(*Received June* 5.)

My Lord, *Pará, March* 31, 1865.

I HAVE the honour to inform your Lordship that there has been no renewal of the African Slave Trade within the jurisdiction of this Consulate during the quarter ending this day.

I have, &c.
(Signed) ALFRED A. BLANDY.

No. 30.

Acting Consul Blandy to Earl Russell.—(*Received September* 4.)

My Lord, *Pará, June* 30, 1865.

I HAVE the honour to inform your Lordship that there has been no renewal of the African Slave Trade within the jurisdiction of this Consulate during the quarter ending this date.

I have, &c.
(Signed) ALFRED A. BLANDY.

No. 31.

Acting Consul Blandy to Earl Russell.—(*Received September* 4.)

My Lord, *Pará, June* 30, 1865.

I HAVE the honour to inclose to your Lordship a Return showing the average price of slaves within this jurisdiction during the six months ending with date.

I have, &c.
(Signed) ALFRED A. BLANDY.

Inclosure 1 in No. 31.

RETURN of the Prices of Slaves within the District of the Vice-Consulate of Maranham during the Half-year ended June 30, 1865.

Description.	Currency.			Sterling.						Remarks.
	Reis.		Reis.	£	*s.*	*d.*		£	*s.*	*d.*	
African, Males	..	..	..	..			..	..			African slaves are few and aged, therefore no quotations can be given.
„ Females	..	..	..	..			..	..			
Creole, Males	1,000$	to	1,100$	104	3	4	to	114	11	8	Nominal.
„ „ with professions .	1,100		1,300	114	11	8		135	8	4	Ditto.
„ Females	1,000		1,100	104	3	4		114	11	8	Ditto.

Exchange, 9$600 to 1*l.* sterling.

(Signed) WILLIAM B. WILSON, *Vice-Consul.*

British Vice-Consulate, Maranham, June 30, 1865.

Inclosure 2 in No. 31.

RETURN of the Prices of Slaves in the Jurisdiction of this Consulate during the six months ending with June 30, 1865.

Description.	Currency.			Remarks.
	Reis.		Reis.	
African, Males (worn out) ..	1,000$			Price is always dependent upon colour, qualities, health, beauty, amiability, &c.; impossible to define.
„ Females (ditto) ..	800			
Creole, Males .. „	900	to	1,200$	
„ Females	1,000		1,200	
„ Males, with trades ..	1,200		1,600	
„ Females (ditto) ..	1,200		1,600	
Infants under 5 years	400		800	
„ 5 to 14 years	500		1,500	

(Signed) ALFRED A. BLANDY, *Acting Consul.*

British Consulate, Pará, June 30, 1865.

No. 32.

Acting Consul Blandy to Earl Russell.—(*Received November* 17.)

My Lord, *Pará, September* 30, 1865.

I HAVE the honour to inform your Lordship that there has been no renewal of the African Slave Trade within the jurisdiction of this Consulate during the quarter ending this date.

I have, &c.

(Signed) ALFRED A. BLANDY.

BRAZIL. (*Consular*)—*Pernambuco.*

No. 33.

Acting Consul Austin to Earl Russell.—(*Received April* 5.)

My Lord, *Pernambuco, February* 28, 1865.

I HAVE the honour to report to your Lordship that no negroes from the Coast of Africa have been introduced into this Consular district during the past year.

I have, &c.

(Signed) RICHARD AUSTIN.

BRAZIL. (*Consular*)—*Rio de Janeiro.*

No. 34.

Consul Hunt to Earl Russell.—(*Received June* 17.)

(Extract.) *Rio de Janeiro, May* 24, 1865.

I HAVE the honour to acquaint your Lordship that a motion was made in the Senate on the 17th instant, by the Viscount de Jequitinhonha, for leave to present to the Chamber a Project of Law—first, fixing the term of ten years after which slavery should be and remain abolished within the territories of the Empire; secondly, that immediate freedom should be granted to all slaves in the possession of the Government, on condition that they should take service in the army. The motion was unsupported and was consequently lost.

On the same day a motion was made by Senator Silveira da Motta for leave to bring in a Project of Law prohibiting all foreigners from holding slaves within the Empire, and granting a term of two years, at the expiration of which all slaves so held should be declared free.

This motion was carried and was ordered to be printed.

This project, should it pass into law, would affect almost exclusively the Portuguese, many of whom are considerable slave-holders. The Portuguese here are generally industrious and succeed often in making money; they almost monopolize the lesser branches of trade. There is some prospect, therefore, that this project may pass into law.

COMORO ISLANDS.

No. 35.

Consul Sunley to Earl Russell.—(Received May 17.)

My Lord, *Johanna, January 5, 1865.*

I REGRET to have to report to your Lordship that since the end of September last, two dhows have arrived at Johanna with about 130 slaves.

The removal of the naval depôt at Pomony, and the consequent rumour that men-of-war would not visit Johanna very frequently, together with a report that I was no longer Consul, have probably led the Johannese to suppose that they could import slaves with impunity.

The Sultan, I am sorry to say, appears to think with his subjects that so favourable an opportunity of bringing slaves to the island, without risk of capture, should not be neglected, and pays no attention to what I tell him of the impolicy of breaking his engagement with the British Government. I have not heard of any slaves being imported at Mohilla and at Comoro, or of any slaves being sent from these islands to Mayotte last year.

I have also the honour to report that the Slave Trade between the Portuguese possessions on the East Coast of Africa and Madagascar was actively carried on last year, and that probably from 2,000 to 3,000 slaves were landed at Madagascar.

Dhows engaged in carrying slaves from Africa to Madagascar in the southern monsoon really run very little risk of being captured, as Her Majesty's vessels were then cruizing for the suppression of the Slave Trade north of Zanzibar. Most of the slaves embarked at Antonio River, at Mohamba, and at Port Conducia, near Mozambique, and were landed at Majunga and Movrantsange, two ports on the West Coast of Madagascar belonging to the Hovas. The price of a slave at the latter place was 28 to 30 dollars.

I have, &c.

(Signed) WM. SUNLEY.

No. 36.

Earl Russell to Consul Sunley.

Sir, *Foreign Office, June 23, 1865.*

I HAVE received your despatch of the 5th January last, reporting the arrival at Johanna of two dhows with about 130 slaves, and stating that, in consequence of recent changes in the naval station, and the belief that Her Majesty's cruizers will not visit Johanna very frequently, together with a report that you were to be removed from your post as Consul, the Sultan of Johanna and his subjects are under the impression that they may take advantage of this state of things to introduce slaves into the island, and pay no attention to your warnings of the impolicy of violating their engagements with Her Majesty's Government for the suppression of the Slave Trade.

I have to instruct you to express to the Sultan the regret of Her Majesty's Government at the conduct of His Highness in permitting the introduction of slaves into his dominions in violation of his Treaty engagements; and you will give him distinctly to understand that Her Majesty's Government will hold him responsible for a due fulfilment of his Treaty obligations for the suppression of the Slave Trade.

I am, &c.

(Signed) RUSSELL.

No. 37.

Earl Russell to Consul Sunley.

Sir, *Foreign Office, June* 23, 1865.

WITH reference to my despatch of the 31st of July, 1863, acquainting you that you must either give up the employment of slaves on your sugar plantations at Johanna, or resign your appointment as Her Majesty's Consul for the Comoro Islands, I have now to acquaint you that, as you state that it is impossible to procure free labourers, and that your interests will not permit of your giving up the employment of slaves on your estates, it will be necessary that I should fix a period for the withdrawal of your Consular Commission, and I have accordingly to acquaint you that on the 30th of September next your name will be struck off the Consular List, and your salary as Her Majesty's Consul for the Comoro Islands will cease.

From reports received by Her Majesty's Government I have every reason to believe that you have, by your example and enterprize, done much to promote the welfare and prosperity of the labouring classes in Johanna, both free and slave; but, as I have before explained to you, it is impossible that Her Majesty's Government can tolerate the employment of slaves by an officer holding Her Majesty's Consular Commission.

I am, &c.

(Signed) RUSSELL.

DENMARK. (*Consular*)—*St. Thomas.*

No. 38.

Consul Lamb to Earl Russell.—(*Received January* 2, 1865.)

My Lord, *St. Thomas, December* 12, 1864.

I HAVE the honour to inform your Lordship that the British barque "*Indus,*" of Cardiff, official number 44,252 (late American flag, under same name), arrived here on the 10th ultimo from Cadiz, and was reported at the Custom-house and to me as in ballast. After arrival three of her crew and her mate (American) were discharged, and four deserted, and her master, an American, transferred the command to a British subject, on the ground that as the vessel was likely to be chartered for Europe, and he was wishful to go to America, it was agreed with the consignees of the ship, and intimated by them to me, in writing, that he should give over charge to a British subject, master of a ship which had been abandoned at sea. Up to this date there was no suspicion regarding the "*Indus.*" Subsequently I received information that she had landed cargo, and found that same consisted of 120 odd empty water-casks, a lot of rice (35 bags), beans (13 bags), bread (20 barrels), beef and pork (13 barrels), and some other trifles, far more than sufficient for the use of the crew, which consisted of ten persons. These goods were said to have been taken in at Cadiz, but of this there is no report by shipping documents of any kind or Customs clearance; and as the casks were said to be intended for ballast, but after being landed here the ship was for sea without taking in ballast, I considered the case, looking at the nature of the goods, as those generally found on board vessels engaged in the Slave Trade, sufficiently suspicious to justify my detaining her, and asking for the presence of one of Her Majesty's ships of war, which I did by writing to the Senior Naval Officer at Barbadoes, and yesterday the "Cordelia" has arrived here. As soon as suspicion attached to the ship I communicated with the Governor of this place, and had all the crew remaining on board examined, and I have received to-day a translation of the depositions, which, with the ship's log-book (kept in an irregular way), clearances, &c., have been submitted to Captain Scott, of the "Cordelia," and he agreed with me that there are strong grounds to believe that she has been intended for participating in the Slave Trade, and has under his consideration the propriety of seizing her, and taking her to Antigua, to be there placed in the Admiralty Court, on foregoing charge.

By next mail I will have the honour to inform your Lordship of the result of the case here, and meantime inclose copy of Captain Scott's letter to me, and my reply.

I have, &c.

(Signed) R. B. LAMB.

Inclosure 1 in No. 38.

Commander Scott to Consul Lamb.

Sir, "*Cordelia,*" *at St. Thomas, December* 12, 1864.

I HAVE the honour to report to you the arrival of Her Majesty's ship, under my command, at this place, in pursuance of orders received from Captain Hood, the Senior Officer at Barbadoes; and in consequence of the information relative to the barque "*Indus,*" contained in your letter of the 1st instant to that officer, that the case is now being investigated. I have to request you will be good enough to inform me whether there are good grounds for believing that the "*Indus*" was intended for the Slave Trade, and that she had on board any of the articles mentioned in the inclosure (copies of the ten paragraphs of suspicious articles in Slave Trade Instructions inclosed).

I have, &c.

(Signed) J. B. SCOTT.

Inclosure 2 in No. 38.

Consul Lamb to Commander Scott.

Sir, *St. Thomas, December* 12, 1864.

I HAVE the honour to acknowledge receipt of your communication of this date, and in reply to inform you, that the barque "*Indus*," of Cardiff, official No. 44,252 (formerly under American flag, and same name), arrived here on 10th ultimo, and was reported at the Custom-house and to me in ballast as per documents Nos. 1 and 2 herewith; subsequently three of her crew were discharged, and four reported to me, but not to the police, as having run away. The master Chauncey, an American, gave up the command with consent of his consignees, to me in writing, as he did not care about going to Europe, where the ship was expected to be chartered for, and she was taken in command by Captain Bolman, a British subject, master of a vessel abandoned at sea. Subsequently to this I was informed that cargo had been landed, and on inquiry, found that same consisted of 120 odd empty water-casks, 35 bags rice, 13 bags beans, 20 barrels bread, 16 barrels beef and pork, &c., &c., and a report made of them at the Custom-house on 6th December, as per document No. 3. For these goods no clearance can be shown, and the bill of health from Cadiz (No. 4) states the vessel as in ballast bound for Bermuda. The time occupied in coming from Cadiz to this port, without any attempt as far as I can see by log-book (No. 5) to reach Bermuda, is so long, that taking the nature of the goods which were landed, their non-clearance at Cadiz, their non-report here on arrival, the general state of the log-book, the changes in the crew, and the depositions (No. 6) before the police-court here, of which I hand you copy, into consideration, I am of opinion that the vessel has been intended for the Slave Trade. I leave her seizure for your determination on examination of the circumstances attending the case.

I have, &c.
(Signed) R. B. LAMB.

No. 39.

Consul Lamb to Earl Russell.—(Received January 2, 1865.)

My Lord, *St. Thomas, December* 14, 1864.

I HAVE the honour, in continuation of my communication regarding barque "*Indus*," to inclose, for your Lordship's information, copy of a letter received by me this date from Captain Scott of Her Majesty's ship "Cordelia," in which he states that although the case of this vessel is a suspicious one, he does not, on examination of the documents and evidence submitted to him by me, and further inquiries, consider that there are sufficient grounds for her further detention; she is in consequence released this day.

I find that this vessel was transferred at New York, 23rd of June, 1864, to Joseph Horne Smith Millard, of London.

I have, &c.
(Signed) R. B. LAMB.

Inclosure in No. 39.

Commander Scott to Consul Lamb.

Sir, "*Cordelia*," *St. Thomas, December* 14, 1864.

I HAVE the honour to acknowledge the receipt of your letter of the 12th instant regarding the barque "*Indus*," and have to inform you that in compliance with orders received from Captain Hood, the senior officer, on the Windward Station, I have, in conjunction with the master and carpenter of this ship, examined the said barque, and cannot find that she was in any way fitted for the Slave Trade. There is no doubt that her having a greater number of water-casks than necessary, as also rice and beans, lays her open to suspicion; but from her log and chart, which I have also examined, and the depositions taken at the police-court here, I am of opinion that she made the best of her way across the Atlantic, and does not appear to have approached the Coast of Africa: consequently I do not think there are sufficient grounds for detaining her.

I have, &c.
(Signed) J. B. SCOTT.

No. 40.

Earl Russell to Consul Lamb.

Sir, *Foreign Office, January 7,* 1865.

I HAVE received your despatches of the 12th and 14th ultimo, reporting the steps taken by you to ascertain the legality of the voyage upon which the barque "*Indus*" had been engaged; and I have to convey to you my approval of your proceedings in this matter.

I am, &c.
(Signed) RUSSELL.

No. 41.

Mr. Murray to Consul Lamb.

Sir, *Foreign Office, January* 21, 1865.

WITH reference to your despatches of the 12th and 14th of December last, reporting the circumstances under which you caused the British barque "*Indus*" to be overhauled on suspicion of her being destined to be engaged in the Slave Trade, I am directed by Earl Russell to transmit to you the accompanying copy of a despatch which his Lordship received in the month of October last from Her Majesty's Consul at Cadiz,* containing information respecting this vessel.

I am, &c.
(Signed) JAMES MURRAY.

No. 42.

Consul Lamb to Earl Russell.—(*Received March* 16.)

My Lord, *St. Thomas, February* 22, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches, dated 7th and 21st ultimo, the former informing me that your Lordship was pleased to approve of my proceedings in the case of the "*Indus*," suspected of being destined for the Slave Trade; and the latter inclosing me copy of a despatch from Her Majesty's Consul at Cadiz to your Lordship, with information of the sailing of said vessel from that port, and her destination.

I have, &c.
(Signed) R. B. LAMB.

No. 43.

Acting Consul Lamb to Earl Russell.—(*Received July* 14.)

(Extract.) *St. Thomas, June* 24, 1865.

I HAVE the honour to inform your Lordship that, with the exception of the barque "*Indus*," reported in December ultimo, no attempt at Slave Trade has been made at this port during the past six months.

I would, however, inform your Lordship that Mr. Chauncey, the former master of the "*Indus*," has since been here from Havana, to which port he again returned, it is said for the purpose of engaging in some new slave expedition from Cuba, but, as generally happens in such cases, it is difficult to obtain any reliable information. If I should hear of anything certain, I shall not fail in at once reporting same to your Lordship.

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* Class B, 1864, No. 239.

FRANCE

No. 44.

Earl Cowley to Earl Russell.—(Received January 7.

(Extract.) *Paris, January 6, 1865.*

M. DROUYN DE LHUYS placed yesterday in my hands a memorandum or *note verbale*, of which a copy is inclosed, intended to be a reply to a note which I addressed his Excellency on the 10th ultimo, after receiving your Lordship's despatch of the 7th ultimo, and of which I also inclose a copy.

Your Lordship will see with regret that the Imperial Government, for reasons contained in M. Drouyn de Lhuys' memorandum, decline to comply with the proposal made by Her Majesty's Government that the maritime Governments should unite in denouncing the Slave Trade as piracy.

In giving me this paper M. Drouyn de Lhuys repeated many of the arguments contained in it. It seemed to him, he said further, impossible to assimilate that which had been made a crime by Convention to that which was a crime by international law, and to include them both within the same denomination of misdeeds. He dwelt also upon the uselessness of any denunciation such as your Lordship proposed, without adding to it the right of search, and to that he emphatically declared public opinion in France would never listen. If, short of this, Her Majesty's Government could imagine any measure more stringent for the suppression of the Slave Trade, it would receive the fullest consideration from the Imperial Government.

Inclosure 1 in No. 44.

Earl Cowley to M. Drouyn de Lhuys.

M. le Ministre, *Paris, December 10, 1864.*

YOUR Excellency is so well aware of the great interest taken not only by Her Majesty's Government but by the people of England in the extinction of the Slave Trade, and, on the other hand, the sentiments of the Emperor, of the Imperial Government, and of the French people, with regard to the iniquity of this nefarious Traffic, have been so often and so solemnly made public, that I know beforehand that I may count on an attentive consideration of any measure which Her Majesty's Government may propose to the Imperial Government for the complete extermination of this nefarious commerce.

I am instructed to make the following remarks to your Excellency, and to ask your consideration of the project which is the result of them.

The crime of trading in human beings has been for many years branded by the reprobation of all civilized nations. Still the atrocious Traffic subsists; and many persons flourish on the gains they have derived from that polluted source.

Her Majesty's Government, contemplating on the one hand with satisfaction the unanimous abhorrence which the crime inspires, and, on the other hand, with pain and disgust the trading speculations which still subsist, have come to the conclusion that no measure would be so effectual to put a stop to these wicked acts as the punishment of all persons who can be proved to be guilty of carrying slaves across the sea.

Her Majesty's Government therefore invite the Government of the Emperor of the French to consider whether it would not be practicable, honourable, and humane—

1st. To make a general declaration that the Governments who are parties to it denounce the Slave Trade as piracy.

2nd. That the aforesaid Governments should propose to their Legislatures to affix

the penalties of piracy already existing in their laws, providing only that the penalty in this case be short of death, to all persons being subjects or citizens of one of the contracting Powers who shall be convicted in a Court which takes cognizance of piracy, of being concerned in carrying human beings across the sea for the purpose of sale, or for the purpose of serving as slaves in any country or colony in the world.

I avail, &c.
(Signed) COWLEY.

Inclosure 2 in No. 44.

Note-Verbale.

SON Excellence M. le Comte Cowley a remis le 10 de ce mois au Ministre des Affaires Etrangères de France une communication relative à la répression de la Traite des Noirs. Le Gouvernement de Sa Majesté Britannique se fondant sur l'insuffisance des mesures de répression prises jusqu'ici contre ce Trafic odieux, insuffisance qui proviendrait en partie de l'absence d'un accord commun entre les Puissances pour organiser la compétence des juridictions à l'effet de poursuivre les coupables, propose deux moyens:—

1. Assimiler la Traite à la piraterie. Dans ce but les Gouvernements adhérents proclameraient ce principe dans une déclaration générale.

2. Appliquer aux sujets de ces mêmes Gouvernements, les penalités édictées contre la piraterie par leurs lois particulières en saisissant de la question les pouvoirs législatifs de chaque pays. Toutefois une exception serait faite en ce qui touche les dispositions prononçant la peine de mort.

La France a, sur la répression de la Traite, une loi très sévère, celle du 4 Mars, 1831, dont l'économie prévoit tous les faits de Traite, aussi bien à l'extérieur qu'à l'intérieur. Ainsi elle s'applique aux préparatifs de la Traite, soit dans le port même, soit en mer, tels que l'armement du navire et la vente des instruments nécessaires à ce Trafic; elle s'occupe ensuite des faits de Traite consommés, et frappe en outre des peines portées par le code pénal, les crimes et les délits commis à bord d'un navire contre les noirs embarqués.

Les châtiments sont gradués suivant le rang du coupable, la pénalité s'élevant quand il s'agit des assureurs, des armateurs, des capitaines, des chefs de Traite en un mot, tandis qu'elle s'abaisse à l'égard de ceux qui ne sont que des agents sécondaires.

Ainsi, le navire préparé pour la Traite est-il saisi en mer avant même qu'aucune fait de Traite ait eu lieu, les armateurs encourent une peine qui peut aller jusqu'à vingt ans de travaux forcés; le capitaine peut être condamné à dix ans dans les mêmes circonstances, et à vingt ans s'il y a eu un fait de Traite. Les bailleurs de fonds et les assureurs sont punis de la réclusion, ainsi que les officiers; les hommes composant l'équipage d'un emprisonnement qui peut aller jusqu'à cinq ans.

Dans tous les cas, le navire et la cargaison sont saisis et vendus, et une amende égale à la valeur du navire et à celle de la cargaison peut frapper solidairement les coupables.

De telle sorte que tous ceux qui participent de près ou de loin à la Traite, Français ou étrangers, sont atteints dans leurs personnes et dans leurs propriétés. Toutefois il a été jugé qu'un navire étranger arrêté pour fait de Traite par des croiseurs Français n'était pas justiciables des autorités Françaises.

En présence de ces dispositions on doit se demander ce que pourraient ajouter à la répression les propositions du Gouvernement Anglais.

Quant à la peine, celle qui est prononcée par la loi Française contre la piraterie est la mort, dans certains cas; mais l'assimilation proposée par la Grande Bretagne laisse en dehors la peine capitale. En matière de piraterie les travaux forcés peuvent, il est vrai, être prononcées à perpétuité, tandis que le maximum est de vingt ans pour les faits de Traite. Mais cette dernière pénalité est déjà très rigoureuse, et quelqu'abominable que soit le Trafic des Esclaves on ne saurait l'assimiler, au moins quant à ses résultats, à la piraterie, qui s'attaque indistinctement à toutes les nations et dont les premiers moyens sont le meurtre et le pillage.

Reste la poursuite, qui par l'assimilation proposée pourrait être exercée contre toute personne indistinctement. La piraterie étant un fait criminel du droit des gens, l'écumeur de mer échappe aux lois ordinaires de la compétence territoriale. Le droit international admet que tout le monde peut l'arrêter, le juger, et le punir; mais on aperçoit de suite les objections qui s'opposent à l'adoption de la proposition du Gouvernement Britannique.

En effet de deux choses l'une: ou le régime nouveau qui résulterait de cette proposition aurait pour effet de permettre aux vaisseaux Anglais de rechercher sur nos navires le fait de Traite, ou une réserve serait faite à cet égard.

Dans le dernier cas on ne voit pas quel avantage on pourrait tirer de la proposition, la loi Française ayant suffisamment assuré les moyens d'atteindre le but qu'on parait avoir en vue. Dans l'autre hypothèse, c'est-à-dire, si aucune réserve n'était faite pour nos bâtiments, la proposition ne serait au fond qu'une voie détournée pour revenir au droit de visite, qui a toujours excité si vivement en France les susceptibilités nationales.

No. 45.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, February* 28, 1865.

I HAVE received your Excellency's despatch of the 6th ultimo, inclosing a *note verbale* placed in your hands by M. Drouyn de Lhuys, stating the grounds on which the French Government decline to accede to the proposal of Her Majesty's Government that the great Maritime Powers should unite in denouncing the Slave Trade as piracy, and in affixing the penalties of that crime to all persons who may be convicted of being engaged in that Traffic in a Court which takes cognizance of piracy.

I have to instruct your Excellency to take an early opportunity of expressing to M. Drouyn de Lhuys the regret of Her Majesty's Government at the decision come to by the Government of the Emperor in this matter; a decision which, however, Her Majesty's Government trust may not be final, and your Excellency will at the same time place in the hands of the French Minister the further note on this subject the draft of which I inclose.

You will also give him a copy of this despatch.

I am, &c.
(Signed) RUSSELL.

Inclosure in No. 45.

Draft of Note to be presented to the French Government.

HER Majesty's Government have perused, with mingled satisfaction and regret, the *note verbale* placed by M. Drouyn de Lhuys in Lord Cowley's hands on the 5th ultimo, containing the reply of the French Government to the invitation of Her Majesty's Government that the Government of the Emperor should declare the Slave Trade piracy, and should affix the penalties of that crime to all persons who shall, in a Court which takes cognizance of piracy, be convicted of being engaged in Slave Traffic.

It is a matter of satisfaction to Her Majesty's Government to learn that the municipal law of France places the odious crime of slave-trading in the category of those criminal offences which are visited with the severest punishment, and Her Majesty's Government have no reason whatever to doubt the sincerity of that abhorrence with which M. Drouyn de Lhuys speaks of this abominable traffic; but in proportion to the satisfaction thus afforded is the regret which Her Majesty's Government are constrained to feel at the rejection by the French Minister of a proposal, by the adoption of which Her Majesty's Government had earnestly hoped that the last traces of this great guilt might be effaced, wherever the flag of France or of England might float.

Her Majesty's Government must observe that, however severely the municipal law of France may punish, within the territory of France, any French slave-dealer, yet, nevertheless, such offender would not naturally bring himself within the operation of this law, so long as the absence of French cruizers from the African coast may enable him to commit his crime with impunity. For while it may, Her Majesty's Government believe with truth, be said, that few, if any, Frenchmen engage in this nefarious traffic, yet the French flag may be, and often is, wrongfully assumed by the slave-traders of all nations. The most effectual remedy for this evil would appear to be that, within certain latitudes and under certain limitations, the right of ascertaining whether a suspected vessel be a slaver, or a ship engaged in legitimate commerce, should be conceded to the ships of war of all Christian States, while, if the vessel proved to be a slaver, she might, in the absence of any Mixed Commission Court, be delivered to the authorities of the country to which she might be found to belong. But, if the French Government should consider this simple and effective suggestion for any reason impracticable, which Her Majesty's Government hope may not be the case, Her Majesty's Government are desirous of stating that they attach the greatest importance to a joint declaration by France and England that, so far as the influence of the two Powers extends, this criminal traffic should be placed in that category of piracy to which, by its nature and by the reason of things, it properly belongs.

Murder and robbery of the worst kind are its inevitable companions, for in no other light can be regarded the stealing of human beings of all ages and of both sexes, and the destruction of the large number who perish in the razzias in the interior, in the barracoons on the coast, or by privations and sufferings during the passage from Africa to their destination across the Atlantic.

It is true, indeed, that slave-trading has not hitherto been considered piracy by international law, but international law has a deeper foundation than mere usage.

International law makes progress in keeping with the advance of Christian civilization, and if it be found that a practice not hitherto treated as a violation of its principles be, nevertheless, a crime of the darkest character and an offence against our common humanity, it would surely become the great Christian States to include by their united verdict this atrocious crime in the list of those which it is the duty of international law to prevent and to punish.

Scarcely more than a century ago, jurists of eminence were found to maintain the abstract right of a Christian belligerent to sell prisoners of war into slavery. In still more recent times the Bey of Tunis and the Bey of Algiers traded in Christian slaves.

No Christian Government now would maintain the former doctrince, or deny that the practice of the Algerines was justly punished as piracy by the armed forces of Christian nations. But the Slave Trade of the present day is far worse, in its character and effects, than Algerine piracy, and whereas Algerine piracy counted its victims by hundreds, the Slave Trade counts them by thousands, and it has been reckoned that for every African who survives the voyage to his dismal destination, ten perish either in the wars that are undertaken to procure captives, or in the long and miserable journeys to the coast, and their subsequent voyage across the ocean in vessels densely packed and inadequately furnished with supplies.

Pirates usually rob and plunder vessels of all nations, and murder the crews of the vessels captured.

But that was not the case with the Algerines any more than it is with the slave-traders of the present day. The Algerines carried Christian captives into slavery, and employed them to work for them as slaves, but this was rightly and justly deemed to be piracy. The slave-traders make war upon nations with darker skins, reduce them directly or indirectly to slavery, and sell them to work as slaves.

Can that which was justly declared to be piracy when committed against European whites be free from being so stigmatized when committed against African blacks?

But it is said that a bare declaration by France and England that slave-trading should be considered by them as piracy would have little or no political effect, unless it were accompanied by the concession of a mutual right of visit and search of each other's vessels, and that this is a thing which France could not permit.

Her Majesty's Government, fully appreciating the sentiment, however mistaken, which induces France to make this refusal, regrets that it should form an obstacle on the present occasion. England, which claims to be as jealous as any nation of the honour of her national flag, has by various Treaties granted to foreign States and Powers, under certain conditions, a mutual right of search for the suppression of Slave Trade, and no feelings of international jealousy would prevent Great Britain from making the same reciprocal concession to naval officers in the service of France.

Her Majesty's Government are strongly of opinion that a joint declaration by France and England that the Slave Trade is piracy would be honourable to Christendom. and conducive to the interests of the civilized world. The example of France and England making a public declaration that Slave Trade is piracy, would be followed no doubt by other nations, and it might be hoped that Spain and Portugal, whose sentence would have, from peculiar circumstances, so much weight in this matter, might be induced to join in such a declaration.

Upon the whole, therefore, Her Majesty's Government still earnestly hope that the Government of the Emperor may be induced to reconsider this proposal, and to take a step which would make France a fellow-worker with England in removing that which is still the great reproach of Christian nations.

No. 46.

Earl Cowley to Earl Russell.—(*Received March* 11.)

My Lord, *Paris, March* 10, 1865.

DURING an interview which I had yesterday with M. Drouyn de Lhuys, I placed in his Excellency's hands a note in the terms of the draft inclosed in your Lordship's despatch

of the 28th ultimo, upon the question of denouncing Slave Trade as piracy, and I left with him a copy of your Lordship's despatch.

The arguments adduced in the note are so full and clear that I could add nothing to them; but I begged M. Drouyn de Lhuys to read it in my presence, expressing the hope that its contents would overcome the scruples of the Imperial Government to adopting the proposal of Her Majesty's Government.

His Excellency, after perusing the note with great attention, said that for the moment he could give no other reply than that it should receive the serious and careful consideration of himself and of the Minister of Marine. He touched upon the prejudices which continue to exist in France against any concession to Great Britain of the right of visit, and he said that your Lordship's despatch had arrived at an inopportune moment, as two complaints of the conduct of British officers in interfering with French ships had just reached him, which he was about to bring to the knowledge of Her Majesty's Government.

I observed that complaints of this nature would, I feared, continue to occur from time to time so long as the French Government persisted in their present system. Surely this was rather an argument for altering it. But for the present, I added, glad as Her Majesty's Government would be, could the Imperial Government be persuaded to admit a reciprocal right of visit and search for the suppression of the Slave Trade, the object of Her Majesty's Government was to obtain a joint declaration of the two Governments that the Slave Trade is piracy.

I have, &c.
(Signed) COWLEY.

No. 47.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, March* 18, 1865.

I TRANSMIT, for your Excellency's information, a copy of a letter from Commodore Wilmot,* inclosing a copy of one from the French Rear-Admiral Commanding-in-chief on the West Coast of Africa, congratulating the Commodore on his assuming the command of the station, and thanking him for the services rendered by officers of the Royal Navy to French merchant ships.

I am, &c,
(Signed) RUSSELL.

No. 48.

Earl Cowley to Earl Russell.—(Received March 21.)

My Lord, *Paris, March* 20, 1865.

I HAVE the honour to inform your Lordship that I have this day addressed a note to the French Government in the terms of your Lordship's despatch of March 18, upon the subject of the cordial relations between the commanders of the British and French squadrons on the West Coast of Africa.

I have, &c.
(Signed) COWLEY.

No. 49.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, April* 4, 1865.

I INCLOSE, for your Excellency's information, copies of despatches, as marked in the margin,† from Sir Henry Bulwer, from Mr. Stuart, and from Mr. Colquhoun, Her Majesty's Consul-General in Egypt, and also copies of instructions which I have addressed to the above-mentioned officers on matters connected with the Slave Trade carried on in the Soudan and from the Turkish ports in the Red Sea.

I am, &c.
(Signed) RUSSELL.

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* Class A, No. 63

† Nos. 211 to 219; 237 and 238.

No. 50.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, April* 12, 1865.

I INCLOSE, for your Excellency's information, copies of a correspondence which has passed between the French Ambassador and myself relative to the visit of French ships by British cruizers on the African coast.

I am, &c.
(Signed) RUSSELL.

Inclosure 1 in No. 50.

The Prince de la Tour d'Auvergne to Earl Russell.

M. le Comte, *Londres, le* 27 *Février*, 1865.

DANS un rapport qu'il vient d'adresser à M. le Ministre de la Marine, au retour d'un voyage sur les côtes occidentales d'Afrique, le capitaine au long cours Etienne, Commandant le navire Français "Jean et Camille," expose qu'il a été visité, 4 Août dernier, par deux embarcations de guerre Anglaises, et le lendemain par une troisième, appartenant à une cannonière Anglaise mouillé à Petit Popo.

Bien que le Capitaine Etienne eût arboré ses couleurs, les deux premières embarcations accostèrent son navire après avoir tiré plusieurs coups de fusil. Deux officiers montèrent ensuite sur le "Jean et Camille," demandèrent le rôle d'équipage et firent plusieurs questions sur le nom du navire, son armateur, son lieu de départ, et la nature de son chargement. Le lendemain, une visite semblable fut faite par un officier de la cannonière mouillée devant Petit Popo.

En me communiquant ces détails, M. le Ministre des Affaires Etrangères ajoute que le "Jean et Camille" ne présentait aucun des caractères suspects qui pouvaient autoriser la vérification de sa nationalité. En conséquence M. Drouyn de Lhuys me charge d'appeler l'attention de votre Excellence sur la conduite des officiers Anglais, qui semble constituer, en cette circonstance, une contravention aux termes des instructions communes concertées entre le Gouvernement de l'Empereur et celui de Sa Majesté Britannique. Je ne doute pas que vous ne reconnaissiez, M. le Comte, l'illégalité de la visite dont le "Jean et Camille" a été l'objet. Je serai, dans tous les cas, particulièrement reconnaissant à votre Excellence de m'informer de la suite qu'elle aura bien voulu donner à la réclamation que j'ai été invité à lui soumettre.

Veuillez, &c.
(Signé) PCE. DE LA TOUR D'AUVERGNE.

Inclosure 2 in No. 50.

Earl Russell to the Prince de la Tour d'Auvergne.

M. l'Ambassadeur, *Foreign Office, March* 4, 1865.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 27th ultimo, calling my attention to a complaint preferred by Captain Etienne, of the French vessel "Jean et Camille," against the officers of Her Majesty's cruizers on the African Coast, for having boarded his vessel on three different occasions within the short space of two days, whilst sailing under French colours; and I beg to assure your Excellency that I will lose no time in bringing this case to the notice of the Lords Commissioners of the Admiralty, with the view to inquiries being made into the matter, the result of which I will not fail to make known to your Excellency.

I am, &c.
(Signed) RUSSELL.

Inclosure 3 in No. 50.

The Prince de la Tour d'Auvergne to Earl Russell.

M. le Comte, *Londres, le* 4 *Avril*, 1865.

LE Capitaine au long cours Astre, du brick Français "Le Zouave," aurait été, d'après un rapport qu'il a adressé aux autorités maritimes du Hâvre, visité à deux reprises différentes par des croiseurs Anglais sur la côte occidentale d'Afrique, dans les parages du Petit et du Grand Popo. Les officiers, qui ont accosté ce navire une première fois, ont

refusé de faire connaître le nom des bâtiments de guerre auxquels ils appartenaient. La econde fois, l'un d'eux a écrit sur le livre du bord l'annotation suivante:—

"11th October, 1864. Boarded the brig 'Zouave.' I ascertained she was French,
"(Signed) POWNAL,
"Acting Second Master H.M. ship 'Sparrow.'"

M. le Ministre des Affaires Etrangères me charge de porter ces faits à la connaissance de votre Excellence, pensant que l'indication donnée par le Captaine Astre, sur la seconde visite à laquelle il a été soumis, facilitera au Gouvernement de la Reine la recherche des auteurs de la contravention au droit maritime que j'ai l'honneur de lui signaler.

Le 27 Février dernier j'ai fait connaître à votre Excellence que le navire "Jean et Camille" avait été l'objet d'une visite semblable dans les mêmes parages, il ne serait pas impossible que ce fut également de la part des officiers du "Sparrow," auquel le Gouvernement de la Reine voudrait bien, s'il en était ainsi, rappeler les instructions d'après lesquelles ils doivent s'abstenir de toute visite de bâtiments portant pavillon Français.

Veuillez, &c.
(Signé) PCE. DE LA TOUR D'AUVERGNE.

Inclosure 4 in No. 50.

Earl Russell to the Prince de la Tour d'Auvergne.

M. l'Ambassadeur, *Foreign Office, April* 11, 1865.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 4th instant, stating that you have been directed to call the attention of Her Majesty's Government to a complaint preferred by the master of the French brig "Zouave," who represents that his vessel was visited on two different occasions by British cruizers off the African coast, in the neighbourhood of Great and Little Popoe.

On the first occasion it is stated that the officers in the boat which accosted the "Zouave" refused to give the name of the vessel to which they belonged, whilst on the second occasion it would appear, from an entry made in the log-book of the "Zouave," that it was a boat from Her Majesty's ship "Sparrow" that boarded her.

I beg leave to acquaint your Excellency that I will call upon the Lords Commissioners of the Admiralty to make inquiries into this matter, the result of which I will not fail to communicate to your Excellency.

I think it right, however, to acquaint your Excellency that, according to information received by Her Majesty's Government, there were, about the time that the "Zouave" was visited by British cruizers, as well as the "Jean et Camille" referred to in your Excellency's communication of the 27th of February, a considerable number of slaves collected in the neighbourhood of Popo and Aghwey waiting for shipment by vessels that were expected to receive them, and it is probable, therefore, that the commanders of British cruizers were more than ordinarily particular in verifying the nationality of vessels approaching that part of the coast.

I presume that your Excellency does not mean that the mere hoisting of French colours should exempt a vessel from all inquiries by British captains of cruizers as to her nationality. If that were the case all these traders, whether of Spanish, Portuguese, or any other nationality, would hoist French colours, and if no French vessel of war were in sight would escape all search or interruption in their nefarious traffic.

I am, &c.
(Signed) RUSSELL.

No. 51.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, April* 17, 1865.

WITH reference to my despatch of the 4th instant, I transmit to your Excellency, for your information, a copy of a further despatch from Sir H. Bulwer, Her Majesty's at Constantinople,* relative to the Slave Trade carried on in the Soudan and the Turkish ports in the Red Sea.

I am, &c.
(Signed) RUSSELL.

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* No. 222.

No. 52.

Earl Russell to Mr. Grey.

Sir, *Foreign Office, May* 20, 1865.

I TRANSMIT to you herewith an extract of a letter from the officer in command of Her Majesty's naval forces on the West Coast of Africa,* which has been communicated to me by the Lords Commissioners of the Admiralty, reporting that the most cordial goodwill and understanding exists between him and the French Admiral Laffon de Ladebat on all matters connected with their respective Governments and squadrons.

Commodore Wilmot, in a further letter, also reports that Admiral Laffon de Ladebat and himself have agreed upon a set of conventional signals for the use of their respective squadrons on the coast.

I have to instruct you to communicate at once to M. Drouyn de Lhuys the foregoing information, which Her Majesty's Government do not doubt will be as gratifying to the Government of the Emperor as it is to that of Her Majesty.

I am, &c.
(Signed) RUSSELL.

No. 53.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, May* 26, 1865.

WITH reference to my despatch of the 12th ultimo, I inclose, for your Excellency's information, a copy of a letter from the Prince de la Tour d'Auvergne, replying to the inquiry contained in the last paragraph of the letter which I addressed to his Excellency on the 11th of April last, as to whether it was maintained by the French Government that the mere hoisting of French colours should exempt a vessel from all inquiries by Commanders of British cruizers.

I am, &c.
(Signed) RUSSELL.

Inclosure in No. 53.

The Prince de la Tour d'Auvergne to Earl Russell.

M. le Comte, *Londres, le* 5 *Mai*, 1865.

J'AI transmis à M. le Ministre des Affaires Etrangères la dépêche que votre Excellence m'a fait l'honneur de m'écrire le 11 Avril dernier, relativement aux visites opérées à bord des navires Français le "Zouave" et le "Jean et Camille," par des croiseurs Anglais dans les parages du Grand et du Petit Popo. M. Drouyn de Lhuys m'a répondu qu'il admettait parfaitement, avec votre Excellence, que le simple fait d'arborer les couleurs Françaises ne saurait dispenser un navire suspect de toute vérification de nationalité ; mais il m'invite à lui faire remarquer, conformément à l'observation qui en a été faite par son Excellence M. le Ministre de la Marine, qu'une mesure de ce genre ne saurait être justifiée qu'autant que les navires suspects présentent, abstraction faite de leurs couleurs, des caractères pouvant inspirer des doutes sérieux sur leur nationalité, que la vérification doit se borner d'ailleurs au simple examen des papiers de bord, et qu'en tous cas les croiseurs doivent, aux termes des instructions de 1859, adresser à leur Gouvernement un rapport l'informant de leurs actes de vérification et de leurs motifs pour y avoir procédé. M. le Ministre des Affaires Etrangères, en attendant le résultat de l'enquête que votre Excellence a bien voulu m'annoncer, a cru devoir me charger de présenter ces observations au Gouvernement de la Reine, pour le cas où les croiseurs Anglais auraient négligé d'adresser à l'Amirauté les rapports prescrits par leurs instructions.

Veuillez, &c.
(Signé) PCE. DE LA TOUR D'AUVERGNE.

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* Class A No. 70.

No. 54.

Earl Cowley to Earl Russell.—(*Received May* 31.)

My Lord, *Paris, May* 30, 1865.

WITH reference to your Lordship's despatch to Mr. Grey dated the 20th instant, instructing him to express to the Imperial Government the satisfaction felt by that of Her Majesty at the good understanding existing between Commodore Wilmot and Admiral Laffon de Ladebat, commanding respectively the British and French naval forces on the West Coast of Africa, I have the honour to inclose copy of a note from M. Drouyn de Lhuys in reply to the note addressed to him by Mr. Grey. M. Drouyn de Lhuys, as your Lordship will observe, expresses the warm satisfaction of the Imperial Government at the cordiality existing between the two officers in question.

I have, &c.
(Signed) COWLEY.

Inclosure in No. 54.

M. Drouyn de Lhuys to Earl Cowley.

M. le Comte, *Paris, le* 27 *Mai*, 1865.

PAR la lettre qu'il m'a fait l'honneur de m'écrire le 22 de ce mois, Mr. Grey a porté à ma connaissance les informations que le Cabinet de Londres a reçues de M. le Commodore Wilmot, et qui témoignent de la cordialité de ses rapports avec M. le Contre-Amiral Laffon de Ladebat. Je m'empresse de m'adresser à votre Excellence mes remerciements pour cette communication, et de lui donner l'assurance que le Gouvernement de l'Empereur s'applaudit, comme celui de Sa Majesté Britannique, de l'accord qui est établi entre MM. les Commandants-en-chef des forces navales de leurs pays à la Cote Occidentale d'Afrique.

Veuillez, &c.
(Signé) DROUYN DE LHUYS.

No. 55.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, June* 7, 1865.

WITH reference to my despatches of the 4th and 17th of April, I inclose, for your Excellency's information, copies of further correspondence, as marked in the margin,* relative to the Slave Trade carried on from the Turkish ports in the Red Sea.

Your Excellency will perceive, from Mr. Stuart's despatches of the 4th and 8th ultimo, that the Turkish Government has decided to place the ports of Massowah and Souakim, in the Red Sea, under the administration of the Viceroy of Egypt, upon certain conditions stated in Mr. Stuart's despatches.

I am, &c.
(Signed) RUSSELL.

No. 56.

Earl Russell to Earl Cowley.

My Lord, *Foreign Office, June* 24, 1865.

I TRANSMIT herewith, for your Excellency's information, copy of a letter from Commodore Wilmot,† inclosing copies of two letters from the officer in command of the French naval forces on the African station, respecting a code of signals to be established between the English and French squadrons, and respecting the services rendered by Her Majesty's ship "Pandora" to the French ship "Comtesse de Brienne."

I am, &c.
(Signed) RUSSELL.

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* Nos. 224, 227, 228, 230, 231, and 239.

† Class A, No. 73.

No. 57.

The Earl of Clarendon to Mr. Grey.

Sir, *Foreign Office, Deeember* 6, 1865.

WITH reference to Earl Russell's despatches to Earl Cowley of the 12th of April and 26th May last, inclosing copies of a correspondence which had passed between the French Ambassador at this Court and his Lordship, relative to the visit of French ships by British cruizers off the African coast, I now inclose, for your information, a copy of a letter which I have addressed to his Excellency the Prince de la Tour d'Auvergne containing explanations on this subject.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 57.

The Earl of Clarendon to the Prince de la Tour d'Auvergne.

M. l'Ambassadeur, *Foreign Office, December* 2, 1865.

IN fulfilment of the promise made to your Excellency by Earl Russell in his letters of the 4th of March and the 11th of April last, I now have the honour to make known to your Excellency the results, as far as they have hitherto been ascertained, of the inquiries instituted by the Lords of the Admiralty into the cases of the alleged improper boarding of the French vessels "Jean et Camille" and "Zouave" by British cruizers off the African coast, which cases formed the subject of your Excellency's communications to my predecessor dated the 27th of February, 4th of April, and 5th of May last.

Commander Richards, the senior naval officer in the Bights of Benin and Biafra, where the occurrences complained of are stated to have taken place, reports that he has made inquiries, and that he has been unable to discover any cases in which French vessels have been boarded by cruizers in his division.

In the case of the brig "Zouave," which is stated in your Excellency's letter of the 4th of April to have been boarded by a boat from Her Majesty's ship "Sparrow," Commander Richards states that he very well remembers to have seen that vessel, but that she was never boarded by any cruizer under his orders; and Commander Jones of the "Sparrow," who was called upon for explanations in this matter, reports that no such name as the "Zouave" appears in the "Sparrow's" boarding book or log, and that he does not recollect ever having officially boarded a French merchant-ship. That officer adds that, on the contrary, he has most studiously abstained from even the appearance of doing so, and that he never at any time sent a boat on board French merchant-vessels for any other purpose than for the purchase of stock or to inquire if there were any for disposal.

The only case which Commander Richards can discover as at all likely to have given rise to the complaints of French shipmasters is that of a cruising boat belonging to Her Majesty's ship "Espoir," the officer in charge of which, contrary to his written orders, went on board a French ship, name unknown, in search of stock; but as this officer was afterwards unfortunately drowned with the whole of his boat's crew in the surf at Appi, it has not been possible to make further inquiries in this quarter.

Commander Richards observes, and doubtless with some reason, that many of the complaints that have been made of the boarding of French vessels by British cruizers, have arisen in consequence of the mutual ignorance of each other's language on the part of British officers and French shipmasters.

With the view, however, to prevent a recurrence of complaints which might possibly arise from the simple fact of French merchant-vessels being visited to procure provisions, Commander Richards has issued an order, a copy of which I beg leave to inclose, by which your Excellency will perceive that officers in command of detached boats are henceforward directed never to go on board French vessels in search of stock.

Whilst issuing this order, the senior officer of the Bights division dwells upon the difficult position in which the commanders of British cruizers are placed who are engaged in the suppression of the Slave Trade.

French vessels-of-war, he states, rarely visit the Bights of Benin and Biafra, and if they come once in three months they pass along in twenty-four hours.

Commander Richards adds that he has been Senior Officer of the Division for seven months, and that during that period he has seen but one French pendant, that of the "Somme" transport. He observes that the only check, therefore, against the fraudulent assumption of the French flag is the constant vigilance of the English cruizers, and that

if a little latitude is not allowed to commanding officers in the execution of their duties, their exertions for the suppression of the Slave Trade must soon become paralyzed.

As as proof that there is no want of courtesy on the part of the Commanders of British cruizers towards the French flag, Commander Richards instances the case of Commander Jones of the "Sparrow," who was engaged for many days in the month of July last in endeavouring to save the French brig "Flèche," stranded near Great Popo, and who is now reluctantly compelled to quit the command of his ship from ill health, which is doubtless in some degree to be attributed to the exertions used by that officer in his endeavours to save the French vessel.

Another case is also mentioned in which Commander Maitland of the "Landrail" nearly lost his life in the surf when returning from another French vessel, the "Françoise Maria," whose anchor her crew has been engaged in endeavouring to recover.

Should I receive any further Reports from the Admiralty throwing additional light on the cases which form the subject of complaint in the letters addressed by your Excellency to my predecessor, I beg leave to assure you that I will lose no time in communicating them to you.

I will only now add that whilst, on the one hand, Her Majesty's Government regret that any complaints, whether well or ill-founded, should have been made to the French Government by French shipmasters, of the proceedings towards them of the Commanders of British cruizers, it is gratifying, on the other hand, to know that in some instances at least British cruizers have been of service to French shipping on the African Coast.

I am, &c.
(Signed) CLARENDON.

No. 58.

The Earl of Clarendon to Earl Cowley.

My Lord, *Foreign Office, December* 22, 1865.

WITH reference to my despatch to Mr. Grey of the 6th instant, and to previous correspondence on the subject of complaints made by certain French shipmasters on the West Coast of Africa, of their vessels having been visited by British cruizers, I transmit to your Excellency herewith a copy of a letter which I have addressed to the Prince de la Tour d'Auvergne on this subject.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 58.

The Earl of Clarendon to the Prince de la Tour d'Auvergne.

M. l'Ambassadeur, *Foreign Office, December* 19, 1865.

WITH reference to the letter which I had the honour to address to your Excellency on the 2nd instant, acquainting your Excellency with the results, as far as they have been ascertained, of the inquiries instituted by the Lords Commissioners of the Admiralty into the cases of alleged improper boarding of the French vessels "Jean et Camille" and "Zouave" by British cruizers off the African Coast, I have now the honour to inform your Excellency that I have received a further communication on this subject from the Admiralty, from which it appears that the Commanders of Her Majesty's ships "Espoir," "Landrail," "Torch," "Sparrow," "Snipe," and "Vindictive," who were employed in cruizing for the suppression of the Slave Trade in the Bights of Benin and Biafra at the time when the "Jean et Camille" is stated to have been boarded by boats from British cruizers, distinctly deny that that vessel was ever visited by boats from Her Majesty's ships under their command.

As there may still remain reports to be received from other Commanders, which may throw some light on the case of the "Jean et Camille," I beg leave to assure your Excellency that should I receive any further information on this subject I will not fail to communicate it to you.

I am, &c.
(Signed) CLARENDON.

MADAGASCAR.

No. 59.

Consul Pakenham to Earl Russell.—(*Received March* 20, 1865.)

My Lord, *Tananarivo, December* 10, 1864.

I HAVE the honour to inclose, for your Lordship's information, a copy of the Prime Minister's reply to my letter complaining of the Traffic in Slaves from beyond the sea carried on in Madagascar.

Your Lordship will be glad to see that the Hova Government are taking steps to carry out my suggestions.

I have, &c.
(Signed) T. C. PAKENHAM.

Inclosure in No. 59.

The Prime Minister of Madagascar to Consul Pakenham.

Sir, *Antananarivo, December* 3, 1864.

I HAVE received the letter which you wrote to me from Tamatave on the 10th October, 1864, and concerning which I have to say that I am grieved to hear from you that slaves from across the sea are brought here. I now inform you that I have written to the Governors of all the ports of Madagascar forbidding them to do that, as it is a crime according to the law of Madagascar to do that, for the Queen of Madagascar has, in public khabary, issued a strong law forbidding to buy persons from beyond the seas, or to sell persons to export beyond the sea.

I have, &c.
(Signed) RAINILAIARIVONY.

No. 60.

Earl Russell to Consul Pakenham.

Sir, *Foreign Office, March* 30, 1865.

I HAVE received your despatch of the 15th of December last, inclosing a copy of the Prime Minister's reply to your letter complaining of the Traffic in Slaves from beyond sea carried on in Madagascar; and I have to instruct you to express to the Hova Government the satisfaction with which Her Majesty's Government have learnt the orders issued by the Prime Minister forbidding this traffic.

I am, &c.
(Signed) RUSSELL.

No. 61.

Consul Pakenham to Earl Russell.—(*Received June* 9.)

My Lord, *Tananarivo, January* 20, 1865.

I HAVE the honour to transmit herewith, for your Lordship's information, copies of correspondence between the Hova Government and myself, respecting a native of

Zanzibar, named Hamady, whom some unprincipled Hovas claimed as a runaway slave from Tananarivo, although I had, what appeared to me, satisfactory proof of the contrary.

I therefore considered it my duty, for the sake of example, to press the Hova Government for an equitable decision in favour of Hamady, which I am happy to be able to report I have obtained, Hamady having been manumitted.

I have, &c.
(Signed) T. C. PAKENHAM.

Inclosure 1 in No. 61.

Consul Pakenham to the Prime Minister of Madagascar.

My dear Sir, *Tananarivo, December* 1, 1864.

I REALLY cannot imagine why there should be any khabary in the case of the free foreigner from beyond the sea, whom some wicked persons wrongfully claim as their slave.

The following are the facts of the case, and I tell you, as a friend, that unless justice is done to this poor man, they will have to be reported to Earl Russell.

His name is Hamady, and he is a native of Zanzibar, as I can prove by the testimony of two of my Lascars who come from the same country. He was quietly living at Moramanga, not as a slave, but as a free man, when we passed through there on the 11th instant. This, Rasolo 9th Honor, who accompanied us, will tell you. Rasolo hired Hamady to carry his baggage up to Tananarivo, and promised, on arrival, to pay his karama (hire), and send him back to Moramanga.

I therefore hope that Hamady will be allowed to return without further molestation.

I am, &c.
(Signed) T. C. PAKENHAM.

Inclosure 2 in No. 61.

The Prime Minister of Madagascar to Consul Pakenham.

My dear Sir, *Antananarivo, December* 3, 1864.

I HAVE received your letter dated 1st December. In reply I wish to state that it is not the intention of Government to hold a khabary respecting Hamady, but the officers of the Government will give the case a fair hearing as soon as possible, and will take care that justice be done to him.

I remain, &c.
(Signed) RAINILAIARIVONY.

Inclosure 3 in No. 61.

Consul Pakenham to the Prime Minister of Madagascar.

My dear Sir, *Tananarivo, December* 21, 1864.

ON the 3rd instant you promised me a fair hearing and justice for Hamady, the foreigner from beyond the sea. As yet nothing has been done; and this unfortunate man, besides being considered a slave, is even treated as a prisoner, being, I am told, put in fetters at night.

I cannot, I must confess, reconcile these proceedings with the repeated statements of your Government, that the laws of Madagascar prohibit the Traffic in Slaves from beyond the sea; as I am quite prepared to prove, whatever representations may be made to you to the contrary, that Hamady is from a country beyond the sea.

I am, &c.
(Signed) T. C. PAKENHAM.

Inclosure 4 in No. 61.

The Prime Minister of Madagascar to Consul Pakenham.

My dear Sir, *Antananarivo, December* 22, 1864.

I HAVE to acknowledge the receipt of your letter of yesterday's date; and I inform you that justice "has done" to Hamady to-day.

Your friend,
(Signed) RAINILAIARIVONY.

No. 62.

Earl Russell to Consul Pakenham.

Sir, *Foreign Office, June* 19, 1865.

I HAVE received your despatch of the 20th of January last; and I have to convey to you my approval of the steps you took to procure from the Hova Government the manumission of Hamady, a native of Zanzibar.

I am, &c.
(Signed) RUSSELL.

No. 63.

Consul Pakenham to Earl Russell.—(Received August 11.)

(Extract.) *Tananarivo, May* 22, 1865.

I HAVE the honour to inclose, for your Lordship's information, the copy of a letter which I received from the Prime Minister on the 12th of last March, respecting the sentence passed on M. Jules Xaver, a Swiss subject, for having caused the death of one of his slaves, which the Queen of Madagascar is desirous should be communicated to the Swiss Government. I also beg to transmit herewith, copies of a correspondence which passed between M. Jules Xaver and myself on the subject, and to mention that this matter would have been brought under your Lordship's notice sooner, had not an appeal from the condemned party to the Queen, which has just been dismissed, been pending.

I am sorry to have to add, that although M. Xaver himself admits having dealt in slaves, one of whom (the deceased) died from the effects of most cruel treatment, still the whole European community of Tamatave, including two English Protestant missionaries, signed a petition which was presented to the Queen a few days ago by Mr. Alexander Gair, a British subject, praying for his pardon.

Inclosure 1 in No. 63.

The Prime Minister of Madagascar to Consul Pakenham.

My dear Sir, *Ambohimanga, March* 12, 1865.

I HAVE the honour to inform you that a Swiss subject residing at Mahanoro, by name Jules Xaver, has caused the death of one of his slaves by beating.

According to the Malagasy law, such crime is punishable by death; but in order to avoid the bad feeling which might be caused between foreigners and natives of Madagascar by carrying out this sentence on an European, Her Majesty the Queen of Madagascar has been pleased, with the advice of her Ministers, to sentence the said Jules Xaver to be banished from Madagascar, relying on the sense of justice by which Her Majesty feels sure the Swiss Government is animated to have Xaver punished for this crime according to Swiss law. And not having any Representative in Switzerland, Her Majesty solicits the friendly offices of the British Government in bringing the whole case to the notice of the Swiss Government.

Yours, &c.
(Signed) RAINILAIARIVONY.

Inclosure 2 in No. 63.

M. Xaver to Consul Pakenham.

Sir, *Mahanoro, January 6, 1865.*

I HAVE the honour to inform you of the facts of an unfortunate accident which has happened to me, and beg with instance your protection and interference in my behalf.

In the month of November last, I ordered a slave of mine to be punished for having repeatedly stolen, and for being a runaway for the fifth time; the number of lashes were forty inflicted with the native rattan, applied upon his unmentionables. The slave instead of begging pardon became stupid, and I still more angry with his stupidity, would not have him untied until he would beg pardon, which he refused. Leaving the boy tied up I went about some business to a neighbour of mine where I remained for about one hour, when I was suddenly informed that the boy was dead, without having ever utterred a word since the time I left my place.

Upon this bad news I rushed to my house, where I found the boy still tied up and dead; I tried all in my power during three hours to bring life back, but to my great sorrow without success.

As I had no bad intention in inflicting punishment, I deferred interment until I had informed the Governor of Mahanoro of the case, requesting him to send two officers to inspect the body that there were no signs of blood, nor of a knife, iron, or any sharp weapon of whatsoever kind used by me. The officers came and reported the truth of my statement, and the affair was sent up to the capital for decision. A letter has since been received by the Governor from the Queen demanding the time which expired between his punishment and his death; I have given the answer according to truth, but as I am aware that the Hovas here wish to extort money in order to arrange this unfortunate case, I beg you will be good enough to accord me your protection and assistance. Be assured, Sir, that my conscience does not reprove me with any wilful intention to kill the boy. Having bought him for 40 dollars and paid 15 dollars more to get him back after he ran away, it cannot be supposed that I would kill intentionally a boy, committing at the same time a horrible crime and a fool's act.

My opinion is, that being of a depraved character, and finding no relief in his rage, he was killed by a congestion to the head.

I hope, Sir, you will view this case in the light of an accident, and give me that assistance of which I am so much in need; I shall remember with gratitude and thanks your interference. I do hardly fear to be sent out of the country, but should such be the case, it would be an ineffaceable stain upon my character. I am most unfortunate on that account, but trust, Sir, you will put in a word in my favour with the Queen and the Prime Minister.

Hoping, Sir, to receive a favourable reply to my letter, I remain, &c.

(Signed) JULES XAVER.

Inclosure 3 in No. 63.

Consul Pakenham to M. Xaver.

Sir, *Tananarivo, January 26, 1865.*

I HAVE the honour to acknowledge the receipt, late last evening, of your letter dated the 6th instant, in which you explain the circumstances under which one of your slaves met his death, and solicit my intervention and protection with a view to stopping certain proceedings instituted against you, in this matter, by the local authorities.

In reply I beg to inform you that the purchase of a slave constitutes a very grave offence against British law, and one which, if committed by a British subject, it would be my duty to take cognizance of. You will therefore at once see my inability to assist you in the present case, where the provisions of that law have in the first instance been infringed by you.

I have, &c.

(Signed) T. C. PAKENHAM.

No. 64.

Earl Russell to Consul Pakenham.

Sir, *Foreign Office, August* 22, 1865.

I HAVE received your despatch of the 22nd of May last, together with its inclosures, relative to the conduct of a M. Jules Xaver, a Swiss citizen, who caused the death of one of his slaves by ill treatment.

I have to acquaint you that in compliance with the desire of the Queen of Madagascar, as expressed in your despatch, I have instructed Her Majesty's Minister at Berne to communicate the particulars of this case to the Swiss Government, and to state at the same time that Her Majesty's Government entirely approve your having declined to interfere in M. Xaver's behalf to prevent the sentence of banishment pronounced against him from being carried into effect.

I am, &c.
(Signed) RUSSELL.

MEXICO.

No. 65.

Mr. Scarlett to Earl Russell.—(Received April 28.)

My Lord, *Mexico, March* 18, 1865.

I HAVE the honour to inclose herewith, for your Lordship's information, copy of a despatch which I received a few days ago from Her Majesty's Acting Consul at Vera Cruz, as well as copy of a letter addressed to Mr. Ledward by the senior naval officer on the Gulf station, relative to the case of a steamer reported to have been employed in the Slave Trade, and at present at anchor in the harbour of Vera Cruz.

The "*Margarita Quintero*" was sailing under Spanish colours when she arrived at Tampico, but before leaving the port she hoisted the Mexican flag, retaining however her former captain, supercargo, and crew.

Under these circumstances I addressed the accompanying note to the Minister for Foreign Affairs, and at the same time privately requested his Excellency to telegraph these facts to the chief authority at Vera Cruz, in order that the guilty parties might not escape, should they hear of the case having been laid before the Government.

Señor Ramirez at once complied with my request, and there the matter rests for the moment.

I have, &c.
(Signed) P. CAMPBELL SCARLETT.

P.S.—Since writing the above despatch, I have received the note, copy and translation of which I have the honour herewith to inclose, from Señor Ramirez in answer to mine to his Excellency of the 16th instant, by which your Lordship will perceive that, as they allege, no proof appears to have existed of the "*Margarita Qaintero*" being employed in the Slave Trade, that vessel has been set at liberty by the authorities of Vera Cruz.

I shall probably hear again from Her Majesty's Acting Consul at Vera Cruz on this subject.

P. C. S.

Inclosure 1 in No. 65.

Acting Consul Ledward to Mr. Scarlett.

Sir, *Vera Cruz, March* 11, 1865.

I HAVE the honour to inclose for your perusal copy of a letter from Captain Charles Wake, R.N., of Her Majesty's ship "Bulldog," respecting a steamer reported to have been employed in the Slave Trade, and now at anchor in this harbour.

As the information required by Captain Wake can only be obtained through an order from the Imperial Mexican Government to its officers in this port and Tampico, I take the liberty of placing the matter in your hands for the purpose of having it brought under the notice of the competent authorities in the city of Mexico, should you consider such a course necessary.

I have, &c.
(Signed) FRED. LEDWARD.

Inclosure 2 in No. 65.

Captain Wake to Acting Consul Ledward.

Sir, "*Bulldog*," *Sacrificios, Vera Cruz, March* 11, 1865.

AS there is some reason to believe that the screw steamer "*Margarita Quintero*," now in this port, has recently been engaged in the Slave Trade, and is one of those vessels which have hitherto evaded all the efforts of the British cruizers to capture them, and as the Mexican law declaring Slave Trade piracy, dated August 8, 1851, provides for the detention of ships, foreign or Mexican, that are suspected of being or having been engaged in the Slave Trade, I have to request that you will move the Mexican authorities to make inquiry into the antecedents of this ship before she assumed a Mexican nationality, and to detain her until the same can be done.

I have been informed that on her change of flag at Tampico, she retained the Spanish captain, supercargo, and crew, that brought her into that port, and I therefore also submit that the change of nationality that has been effected at Tampico, though admissible for the ends of legitimate commerce, ought not to be allowed where the effect of the transaction (unintentional on the part of the purchasers) is to protect the owners, captain, supercargo, and crew of a notorious slaver from the consequences of their crime.

I have, &c.

(Signed) C. WAKE.

Inclosure 3 in No. 65.

Mr. Scarlett to Señor Ramirez.

M. le Ministre, *Mexico, March* 16, 1865.

I HAVE the honour herewith to transmit to your Excellency copy of a despatch which I received yesterday from Her Majesty's Acting Consul at Vera Cruz, Mr. Ledward, inclosing a communication that had been addressed to him by Captain Wake, of Her Majesty's ship "Bulldog," the senior officer of the British naval force in the Gulf of Mexico, copy of which I also beg to transmit for your Excellency's information.

Mr. Ledward is thereby apprised that the screw steamer "*Margarita Quintero*," which has for a long time been notoriously engaged in the Slave Trade, is now at Vera Cruz, having previously, on her arrival at Tampico, changed the Spanish flag for that of Mexico.

As the Mexican law of 1851, declaring Slave Trade piracy, provides for the detention of ships, foreign or Mexican, suspected of being engaged in the illicit Traffic of Slaves, I hasten to submit this correspondence to your Excellency's notice, so that an order may be sent, as soon as possible, to Vera Cruz, to detain the vessel in question, for the purpose of enabling the Mexican authorities to inquire into her antecedents before she assumed the Mexican nationality.

I moreover beg to call your Excellency's attention to Captain Wake's belief that the "*Margarita Quintero*," notwithstanding her change of flag, continues to retain on board the Spanish captain, supercargo, and crew, who have hitherto been the guilty parties in carrying on the Slave Trade, and who ought not to be allowed to escape the consequences of their culpability through the protection of the Mexican flag.

I have, &c.

(Signed) P. CAMPBELL SCARLETT.

Inclosure 4 in No. 65.

Señor Ramirez to Mr. Scarlett.

(Translation.)

Sir, *Mexico, March* 25, 1865.

YOUR Excellency has already been informed that immediately on receipt of your note of the 16th instant, with its accompanying documents, I sent by telegraph the most precise orders to the authorities of Vera Cruz to have the "*Margarita Quintero*" detained in port.

I have to-day the honour to acquaint your Excellency of the termination of this affair.

The "*Margarita Quintero*" (with her cargo already on board, and preparing to go out to sea), having been detained, every investigation was made, and steps conducive to

proving whether that vessel was a slaver or not were taken, keeping in view for that object the Treaty of 1843 and the Law of 1851.

The attentive and minute examination of the papers, crew, equipment, and cargo, by very competent persons did not give any indication of culpability, and consequently the "*Margarita Quintero*" remained at liberty to undertake the voyage, the authorities of Vera Cruz having opportunely acquainted Her Majesty's Consul with the result on account of the intervention he had had in the business.

With this motive I have the honour to repeat, &c.

(Signed) FRANCISCO J. RAMIREZ.

No. 66.

Earl Russell to Mr. Scarlett.

Sir, *Foreign Office, May* 1, 1865.

WITH reference to your despatch of the 18th of March last, I transmit to you herewith a copy of a letter from the Commander of Her Majesty's ship "Griffon,"* which has been communicated to me by the Lords Commissioners of the Admiralty, containing information respecting the movements of the notorious Spanish slave-steamer "*Ciceron*," now called the "*Margarita Quintero*," which vessel has been thwarted a second time in an attempt to ship a cargo of slaves from the African coast.

I am, &c.

(Signed) RUSSELL.

No. 67.

Earl Russell to Mr. Scarlett.

Sir, *Foreign Office, May* 10, 1865.

I HAVE received your despatch of the 18th of March last, together with its inclosures, relating to the notorious Spanish slave-steamer "*Ciceron*," which it appears is now transferred to the Mexican flag; and I have to acquaint you that I approve your proceedings with regard to this vessel.

You will not fail to make known to the Mexican Government the particulars communicated to you in my despatch of the 1st instant, which show the true nature of the voyage on which the "*Ciceron*" was lately engaged; and as this vessel still retains the same captain, crew, and supercargo, it may be inferred that she has only changed her name and colours in order the better to enable her to carry on the Traffic in Slaves in which she has been for the last two years engaged.

I am, &c.

(Signed) RUSSELL.

No. 68.

Mr. Scarlett to Earl Russell.—(*Received May* 30.)

My Lord, *Mexico, April* 12, 1865.

WITH reference to my despatch of the 18th ultimo, and to my postscript to the same, dated the 27th of that month, respecting the case of the supposed slaver "*Margarita Quintero*," I have the honour to inform your Lordship that I have received in a despatch from Her Majesty's Acting Consul at Vera Cruz a copy, herewith inclosed, of the letter addressed by him to Captain Wake, R.N., Senior Naval Officer on the station, containing the result of the inquiries instituted by the Mexican authorities into the true character of that vessel, which appeared sufficiently satisfactory to admit of her being released from further detention.

I have, &c.

(Signed) P. CAMPBELL SCARLETT.

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* Class A, Inclosure in No. 65.

Inclosure in No. 68.

Acting Consul Ledward to Captain Wake.

Sir, *Vera Cruz, March* 24, 1865.

RESPECTING the steamer "*Margarita Quintero*" I have the honour to inform you that after communicating with Her Britannic Majesty's Minister in the city of Mexico, who doubtless brought the matter under the notice of the Imperial Government, I have been informed by the chief authority of this city that every step has been taken on his part to discover the true character of the vessel in question, and that the result is—

"That she was legally sold and placed under the Mexican flag at Tampico.

"That she is at present employed in legitimate trade.

"That so long as she remains under the Mexican flag she cannot be employed in any nefarious traffic.

"That the present owners will incur very heavy penalties should the contrary be subsequently proved.

"That proper and substantial guarantee has been exacted for the fulfilment of these conditions."

Under these circumstances I consider it unnecessary to interfere further in the matter, as I am convinced that every reliance can be placed in the good faith of the Mexican authorities.

I have, &c.
(Signed) FRED. LEDWARD.

No. 69.

Mr. Scarlett to Earl Russell.—(*Received August* 30.)

My Lord, *Mexico, July* 19, 1865.

WITH reference to your Lordship's despatch of the 10th of May last, I have the honour to inclose herewith, for your Lordship's information, copy of a note which I addressed on the 3rd instant to the Minister for Foreign Affairs relative to the case of the slave steamer "*Margarita Quintero*."

As yet Señor Ramirez has taken no notice of my communication, but should I obtain a reply from the Mexican Government in time for the mail, I will communicate it to your Lordship in a postscript to this despatch.

I have transmitted to the Admiral on the station, as well as to the senior naval officer in the Gulf of Mexico, a copy of my note to Señor Ramirez.

I have, &c.
(Signed) P. CAMPBELL SCARLETT.

Inclosure in No. 69.

Mr. Scarlett to Señor Ramirez.

M. le Ministre, *Mexico, July* 3, 1865.

On the 16th March last I had the honour of bringing to your Excellency's notice the case of the supposed slaver "*Margarita Quintero*," which vessel had, upon her arrival at Vera Cruz, changed the Spanish for the Mexican flag, retaining however her former captain, supercargo, and crew; and your Excellency was good enough to have the "*Margarita Quintero*" detained until it could be seen whether or not there were any proofs of her having been previously engaged in the Traffic of Slaves. From your note, however, of the 30th March, I learnt that this case had been fully investigated, and that the "*Margarita Quintero's*" papers were found to be in good and proper form, and that the steamer had consequently been allowed to proceed to sea, it having been proved to the satisfaction of the Imperial Government that she was not a slaver.

By the last mail from Europe I received a despatch from Earl Russell bearing upon this question, and, in accordance with his Lordship's instructions, I have the honour now to give your Excellency the following information respecting the movements of the "*Margarita Quintero*," previous to her arrival on this coast.

The "*Margarita Quintero*," better known as the notorious Spanish slaver "*Cicero*n," or "*Elvira*," commanded by Don Pedro Mas, a Spaniard, cleared from Cadiz for Matamoros on the 26th of October last, but proceeded directly to the Bight of Benin for slaves. She

made several attempts to get slaves on board, but was chased off the land by Her Britannic Majesty's cruizers, and had eventually to desist from her purpose, sailing for her original destination (Matamoros) with a cargo of blankets, shoes, and provisions, which she had shipped before leaving Cadiz, in order to clear expenses, should she not succeed in obtaining a cargo of slaves.

There can be no doubt whatever as to the nature of the voyage on which the "*Margarita Quintero*" was lately engaged, and as the "*Margarita Quintero*" and the "*Ciceron*" are one and the same vessel, and as she still retains her former captain, supercargo, and crew, it may be inferred that she has only changed her name and colours, in order the better to enable her to carry on the Traffic in Slaves, in which she has been engaged for the last two years.

Her Majesty's Government are very anxious that the movements of this vessel should be strictly watched, and I trust therefore that the official agents of His Imperial Majesty abroad will be duly informed of the suspicion which attaches to the "*Margarita Quintero*," in order that her papers may be thoroughly examined whenever her captain has occasion to present them in proof of his being entitled to the protection of His Imperial Majesty's Government, and should this slaver again present herself in Mexican waters, I have to request that she may be detained, and her arrival reported to me, as she is evidently the vessel which has been employed for so long in the illegal commerce of slaves, and although the change of nationality may be admissible for the ends of legitimate commerce, it ought not to be allowed where the effect of the transaction (unintentional no doubt on the part of the purchasers) is to protect the owners, captain, supercargo, and crew from the consequences of their crime.

I have, &c.
(Signed) P. CAMPBELL SCARLETT.

No. 70.

Mr. Scarlett to Earl Russell.—(*Received September* 28.)

My Lord, *Mexico, August* 22, 1865.

WITH reference to my despatch of the 19th of July ultimo, I have now the honour to inclose for your Lordship's information, translation of a note which I received yesterday from Señor Ramirez, in which his Excellency informs me that orders have been forwarded to the authorities at Vera Cruz, Tampico, and Matamoros, to detain the "*Margarita Quintero*," if she should arrive again at any of those ports.

I have, &c.
(Signed) P. CAMPBELL SCARLETT.

Inclosure in No. 70.

Señor Ramirez to Mr. Scarlett.

(Translation.)

M. le Ministre, *Mexico, August* 21, 1865.

IN consequence of your Excellency's note of 3rd of July last, addressed to this Department, relative to the Spanish vessel "*Margarita Quintero*," proper orders have been sent to the authorities at Vera Cruz, Tampico, and Matamoros, in order that, should said vessel present herself in any of those ports, she be detained, and this Department be immediately advised thereof, so that the necessary measures may be taken.

Having thus complied with your Excellency's wishes, contained in the aforesaid note, I have, &c.

(Signed) JOSE F. RAMIREZ.

MUSCAT.

No. 71.

Lieutenant-Colonel Playfair to Earl Russell.—(Received October 27.)

My Lord, *Zanzibar, September* 1, 1864.

I HAVE the honour to attach, for your Lordship's information, a copy of my despatch of this day's date to the Government of Bombay.

I have, &c.

(Signed) R. L. PLAYFAIR.

Inclosure 1 in No. 71.

Lieutenant-Colonel Playfair to the Chief Secretary to the Government of Bombay.

(Extract.) *Zanzibar, September* 1, 1864.

I HAVE the honour to report that Her Majesty's ship "Wasp" has arrived at Zanzibar for the double purpose of operating, during a limited period, for the suppression of the Slave Trade, and of obtaining, for submission to Admiral King, all the information her Commander can obtain on the subject.

Inclosed is a copy of a Memorandum which I have given to Captain Bowden, containing the views I have so frequently expressed regarding the locality to be watched.

Inclosure 2 in No. 71.

Memorandum.

THE northern dhows which come to the African coast for slaves commence running south about the beginning of November; they remain on this coast till the end of April. Such as have not succeeded in getting off by that time remain here till August, and numbers run across to Arabia between the end of August and the 15th of October.

Lately they have been running on the coast at all seasons, but only for the purpose of collecting a slave cargo at one of the northern ports, so as to be ready for the first favourable opportunity to proceed to Arabia.

Every slaver must pass between Cape Guardafui and Socotra. Were they to keep to the east of that island the current would take them to the Malabar coast. It is absolutely certain that if the Straits between those two places and the coast from Guardafui (14° north latitude) to Ras Maabar (9° north latitude) were efficiently watched, not a slave would leave the coast of Africa. A single gun-boat would have more effect there than the whole Indian squadron further south.

The times during which it would be necessary to watch this locality are from the 1st of September till the end of May; during the latter period the greatest number of slavers might be expected. No boats would venture across at any other time; and even at those periods they must keep close to the African coast, otherwise the current would carry them out to sea, and they would have to stand south again.

This plan, if adopted, would narrow the operations for the suppression of the Slave Trade within very practicable limits.

Liberated slaves could always be landed at Aden.

(Signed) R. L. PLAYFAIR.

Zanzibar, September 1, 1864.

No. 72.

Lieutenant-Colonel Playfair to Earl Russell.—(*Received January* 28, 1865.)

My Lord, *Zanzibar, September* 30, 1864.

I HAVE the honour to inclose, for your Lordship's information, a copy of my despatch of this day's date to the Government of Bombay.

I have, &c.
(Signed) R. L. PLAYFAIR.

Inclosure in No. 72.

Lieutenant-Colonel Playfair to the Chief Secretary to the Government of Bombay.

Sir, *Zanzibar, September* 30, 1864.

I HAVE the honour to report that on the night of the 14th instant I received information that a dhow had surreptitiously embarked a cargo of slaves, and was just starting for Arabia. There was no time to communicate with His Highness, but I dispatched a messenger to his secretary requesting that the vessel might be seized. A party of soldiers was immediately sent, and these, with my messenger, got into the first boat they found on the beach and gave chase; in a few hours she was overtaken and brought back to Zanzibar.

She was found to contain fifty-seven slaves, many of them kidnapped from people in the town. His Highness freed five of the most promising children, and sent them to be educated at Bishop Tozer's mission; the remainder he confiscated, and the dhow was taken opposite to my windows and burnt.

I have, &c.
(Signed) R. L. PLAYFAIR.

No. 73.

Lieutenant-Colonel Playfair to Earl Russell.—(*Received January* 28, 1865.)

My Lord, *Zanzibar, November* 28, 1864.

I HAVE the honour to inclose a copy of my letter of this day's date to the Government of Bombay.

I have, &c.
(Signed) R. L. PLAYFAIR.

Inclosure 1 in No. 73.

Lieutenant-Colonel Playfair to the Chief Secretary to the Government of Bombay.

Sir, *Zanzibar, November* 28, 1864.

REFERRING to my letter dated 1st October, 1863, and previous correspondence, I have the honour to report that, after a year's experience of the working of the new taxes on cloves and cocoa-nut trees, His Highness has found it so difficult to collect the latter with the imperfect machinery at his disposal, that he has determined to abolish it and substitute an increased tax on slaves instead.

2. He has this day issued the proclamations attached, and from this source he hopes to increase his revenue more than by the abolished tax on cocoa-nut trees.

3. No revenue from such a source can be regarded as satisfactory, but as he has an undoubted right to deal with the institution of slavery in any manner he pleases within the limits prescribed by Treaty, I have not thought it advisable to offer any objections. His Highness consulted me before carrying the scheme into execution, but I declined to offer any opinions on it, except to state that, however he might see fit to increase his revenue, I thought that the proceeds should be devoted to the construction of public works likely to benefit his country.

I have, &c.
(Signed) R. L. PLAYFAIR.

Inclosure 2 in No. 73.

Proclamations.

(Translation.)

I.

TO all to whom it may concern.

Be it known that we have abolished the tax on cocoa-nut trees in the Island of Zanzibar from this 22nd day of Jumad-el-Akhir, 1281 (28th November, 1864).

II.

BE it known that we have imposed a tax of $1\frac{3}{4}$ dollars on every slave embarked at Kilwa for Zanzibar proper, and on every slave taken thence to another place 4 dollars, and on every slave exported from the Island of Zanzibar to the Marima (opposite coast), to Mombassa or Lamoo, 2 dollars. The exportation of slaves to any other place is prohibited.

(Date as above.)

No. 74.

Earl Russell to Lieutenant-Colonel Playfair.

Sir, *Foreign Office, May 5, 1865.*

I HAVE to acquaint you that the Queen has been graciously pleased to appoint Dr. Livingstone to be Her Majesty's Consul in the territories of the African Kings and Chiefs in the interior of Africa not subject to the authority of the King of Portugal, or of the King of Abyssinia, or of the Viceroy of Egypt.

The Queen's Commission has been given to Dr. Livingstone with a view to assist him in the important journey he is about to undertake, and which has for its objects the exploration of that part of the African continent lying between the 5th degrees of north and south latitude, the encouragement of lawful trade, and the suppression of the export traffic in slaves.

Dr. Livingstone will proceed to Zanzibar, where he will make arrangements for starting on his journey into the interior; and I have to desire that you will yourself afford him the benefit of your advice and assistance, and that you will bespeak for him the good offices of the Sultan of Zanzibar in the prosecution of the important expedition he is about to undertake, and in the success of which, you will inform His Highness, Her Majesty's Government take a lively interest.

I am, &c.

(Signed) RUSSELL.

No. 75.

Lieutenant-Colonel Playfair to Earl Russell.—(Received July 12.)

(Extract.) *Seychelles, May 30, 1865.*

THE season during which the Slave Trade is principally carried on along the East Coast of Africa is from January to May; and, as it has now closed, I am able to report on the measures which have been adopted for its suppression, and on their results.

I regret to say that, for years past, so many slaves have not been exported from Zanzibar as during the last few months. The Northern Arabs came down rather later than usual, and I had hoped, from the experience of last year, that they were beginning to fear the activity of our cruizers, and to abandon to a great extent so dangerous a trade; but my anticipations have not been realised. They arrived in unusual numbers during March and April, with large sums of treasure for the purchase of slaves.

The average price of a slave is about 14 dollars; but owing to the measures which His Highness the Sultan had taken to prevent the Northern Arabs purchasing slaves, the price rose to 30 dollars, 40 dollars, and at one time to 70 dollars. Such prices easily induced the inhabitants to part with their domestic and farm slaves, and in addition large numbers were kidnapped from the town and adjacent plantations.

I had long seen how hopeless it was to grapple with the Slave Trade in the Sultan's dominions; the extent of coast is too great to be effectually watched by any

number of vessels which we are likely to have on the station, and I suggested that their operations should be transferred to the vicinity of Cape Guardafui.

This course was sanctioned; and, but for a series of unforeseen accidents, I have no doubt that the result would have answered my expectation.

The naval force on this coast consisted of the "Wasp," "Lyra," "Rapid," "Pantaloon," and "Penguin." The "Pantaloon" was detained in the Red Sea, and arrived here too late to do any good. A rumour, which turned out to be false, of the wreck of the "Penguin," near Brawa, rendered it necessary for the "Lyra," and subsequently the "Wasp," to proceed thither to ascertain the truth of the report; and thus, at the very season when their presence was necessary at the north, they were prevented from proceeding thither. The consequence was, that the "Penguin" alone was able to watch the passage between Cape Guardafui and Socotra.

I have received no official report of her proceedings; but I have heard, on reliable authority, that she made a prize containing 120 slaves, which was as many as she could well carry, and had to leave her cruizing-ground in order to land them at Aden. She subsequently returned, made another capture of about 140 more, which, in like manner, she took to Aden.

I think there can be little doubt but that, if more vessels had been there, they would all have taken as many slaves as they could have accommodated on board.

The "Lyra" and "Rapid" have, as far as I know, done nothing; the former was cruizing to the south of Zanzibar, the latter came too late to the station, and as she had orders to proceed to the Cape, she had not time to cruize for any length of time on the Zanzibar coast.

The "Wasp" has been more successful. She captured a dhow in April, with about 17 slaves on board*; and as it proved to belong to subjects of His Highness, transporting slaves from port to port in his dominions, as sanctioned by the Treaty, but contrary to his orders, it was made over to His Highness, who burnt the vessel and confiscated the slaves.

About the same time another prize was taken by the boats of the "Wasp;" she was supposed to contain one or two slaves, and three seamen were put on board to take charge of her. It was believed that these men, well-armed as they were, would have sufficed to overawe the small unarmed crew which she contained; but, during the absence of the boats, in chase of another vessel, the first prize, or one resembling her, was seen to make sail and proceed towards the north before a strong breeze, and nothing has been heard of her since.

His Highness has written to all the ports in his dominions to detain her if she enters; and if on my return to Zanzibar she has not been taken, I shall communicate with the Government of Bombay, with a view to have her searched for on the Arabian Coast.

But the most important capture made by the "Wasp" occurred on the 12th instant. Captain Bowden having received intelligence on that day that a large dhow was embarking a cargo of slaves, ordered his pinnace and cutter to intercept her. She was found at midnight, about a mile and a-half from the coast, and was taken after a vigorous resistance. The Arabs on board far outnumbered the boats' crew, and fought desperately. On our side one seaman was killed; Lieutenant Rising, who commanded the party, was dangerously, and Lieutenant Theobald and Mr. Midshipman Wilson were severely wounded; several seamen, moreover, were more or less dangerously wounded. Three of the Arabs were killed, others were wounded, and the majority jumped into the sea; of these, some were drowned and some escaped in a boat which was towing astern. The dhow contained 284 slaves, who have been brought to S ychelles.

Nothing could have exceeded the gallantry of Lieutenant Rising, and indeed of all under his command. It is, strictly speaking, no part of my duty to comment on the behaviour of naval officers, but I cannot resist recording the admiration with wnich I, and all who have any knowledge of the affair, regard their gallant conduct; especially that of Lieutenant Rising, who was the first to board the dhow, and who has been so seriously wounded that he will probably be a cripple for life.

From what I have stated it is evident that our operations during all the years over which they have extended, have had no appreciable effect in stopping the Slave Trade; and, from the experience I have gained at Zanzibar, I have no hesitation in saying that nothing we can do will ever stop it. Many slavers may be taken, and if we put on sufficient pressure the export may even be entirely suspended for a time; but the moment that pressure is removed, and our efforts are relaxed, it will be resumed with as great activity as ever.

* My records are at Zanzibar, and I am not sure of the number.

The whole fabric of Arab society is so interwoven with slavery, and the manners and customs of that race are so unchangeable, that it is hopeless to expect that they will ever permamently abandon their pursuit of slaves. Their fathers have possessed them ever since Arabia was peopled, and they have no idea of a state of things in which slaves do not occupy a prominent place. The institution is one sanctioned by their religion. Such a thing as civil law, or any other not contained in the Koran, is unknown to them; and I fear that no efforts of ours can induce them to regard slavery with the horror which its name excites in a Christian mind.

There is one thing to be said in palliation of slavery amongst Arabs, and that is, that no class of the community is so happy, so free from care, and so well treated as the Mahometan slave: nine out of ten would hardly regard freedom as a boon; and but for our intervention, which compels slavers to resort to all kinds of expedients to procure cargoes, the sufferings of the slaves "after" their arrival on the coast would be hardly appreciable.

But it is that word "after" which says so much. We shall never know the amount of suffering, the severance of family ties, and the misery resulting from the depopulation of large tracts of country, which is caused by the pursuit of slaves in the interior of Africa.

Regarding the conduct of Seyed Majid during the past season, I believe that he is, personally, sincerely anxious to prevent the exportation of slaves, but he meets with no assistance from those around him, and he is really powerless, as things stand at present, to effect any good.

I must, however, do him the justice to say that he has, of his own accord, made several seizures of slaves about to be exported, others have been made on information supplied by me, and one on information furnished to him by Captain Bowden during my absence.

In conclusion I would state, in explanation of this letter being dated from Seychelles, that the state of my health required me to take a trip to sea. I left Zanzibar in Her Majesty's ship "Lyra" on the 5th instant, and purpose returning to-morrow morning.

No. 76.

Mr. Layard to Lieutenant-Colonel Playfair.

Sir, *Foreign Office, September* 19, 1865.

I AM directed by Earl Russell to acquaint you that Her Majesty's Government have received information to the effect that a steam-vessel, under Mexican colours, now called the "*Margarita Quintero*," but formerly the notorious Spanish slave-steamer "*Ciceron*," has been fitted out at Havana ostensibly for a voyage to China to procure coolies. It is, however, stated, that the real object of the voyage is to procure slaves from the African coast, and as the captain, by name Mas, who commanded the "*Ciceron*" when sailing under Spanish colours, is believed to be still on board, and was formerly actively employed as an agent for procuring slaves on the East Coast of Africa, it is probable that this may be the real destination of the "*Margarita Quintero*."

I am accordingly to desire that you will make known the foregoing information to the Commanders of any of Her Majesty's cruizers with whom you may be able to communicate, and that you will use your best endeavours to frustrate the designs of this vessel, should she make her appearance on the East Coast of Africa.

I am, &c.

(Signed) A. H. LAYARD.

NETHERLANDS.

No. 77.

Sir J. Milbanke to Earl Russell.—(*Received January* 12.)

My Lord, *The Hague, January* 10, 1865.

I HAVE the honour to forward herewith copy of a note which, in obedience to the instructions conveyed to me in your Lordship's despatch of the 7th December of last year, I addressed to the Netherlands Minister for Foreign Affairs expressing the wish of Her Majesty's Government that the Dutch Government would give its concurrence to the proposal to denounce the Slave Trade as piracy, and to affix the penalties now visited on this crime, with one modification, to that of trafficking in slaves.

His Excellency's answer, of which I also subjoin a copy, indicates that this Government, whilst expressing its willingness to do everything in its power to oppose the Slave Trade, is disinclined to introduce into the legislation of the Netherlands alterations in the sense suggested in your Lordship's despatch.

I have, &c.
(Signed) J. R. MILBANKE.

Inclosure 1 in No. 77.

Sir J. Milbanke to M. Cremers.

The Hague, December 13, 1864.

THE Undersigned, &c., has received instructions to make an appeal to the Government of His Majesty the King of the Netherlands for its concurrence in the enactment of more stringent regulations for the suppression of the Trade in Slaves, which it is notorious that those in force have not yet been successful in extirpating.

The crime of trading in human beings has been for many years branded by the reprobation of all civilized nations. Still the atrocious Traffic subsists, and many persons flourish on the gains they have derived from that polluted source.

Her Majesty's Government, contemplating on the one hand with satisfaction the unanimous abhorrence which the crime inspires, and on the other hand with pain and disgust the slave-trading speculations which still subsist, have come to the conclusion that no measure would be so effectual to put a stop to those wicked acts as the punishment of all persons who can be proved to be guilty of carrying slaves across the sea.

Her Majesty's Government therefore invite the Government of the Netherlands to consider whether it would not be practicable, honourable, and humane—

1. To make a general declaration that the Governments who are parties to it denounce the Slave Trade as piracy.

2. That the aforesaid Governments should propose to their Legislatures to affix the penalties of piracy already existing in their laws, provided only that the penalty in this case be short of death, to all persons being subjects or citizens of one of the Contracting Powers, who shall be convicted in a Court which takes cognizance of piracy, of being concerned in carrying human beings across the sea, for the purpose of sale, or for the purpose of serving as slaves in any country or colony in that world.

In submitting this proposal for the consideration of His Netherlands Majesty, the Undersigned avails, &c.

(Signed) J. R. MILBANKE.

Inclosure 2 in No. 77.

M. Cremers to Sir J. Milbanke.

La Haye, le 9 *Janvier*, 1865.

LE Soussigné, Ministre des Affaires Etrangères, a l'honneur de porter à la connaissance de Sir John Milbanke, Envoyé Extraordinaire de Sa Majesté Britannique, en réponse

à sa note du 13 Décembre, 1864, que le Gouvernement du Roi n'est pas encore convaincu de la nécessité de changer la législation des Pays-Bas, afin de fixer des peines plus sévères contre ceux qui se livrent à la Traite des Nègres.

D'après la loi existante, tous ceux qui se rendent coupables d'une participation quelconque à la Traite des Esclaves sont punis de quinze années de travaux forcés, d'une amende de 10,000 francs, et de la confiscation des bâtiments employés.

Cette pénalité paraît suffisamment rigoureuse, et si dans une loi que l'on promulguerait dans les Pays-Bas sur la piraterie, loi qui fait défaut encore à la législation Néerlandaise, et qu'on craint ne pouvoir faire passer d'ici à quelques années, on attachait à ce crime la peine immédiatement inférieure à la peine de mort, l'augmentation de celle existant actuellement contre ceux qui sont engagés dans l'odieux trafic en question serait de fort peu d'importance, savoir, cinq ans de réclusion de plus—augmentation qui peut être considérée comme balancée par la confiscation des bâtiments négriers et par l'amende considérable susmentionée, qui, dans la penalité existante contre la Traite, viennent aggraver la punition des coupables.

Le Soussigné se flatte que les explications qui précèdent suffiront pour faire comprendre à M. l'Envoyé Britannique, que lors même qu'il existât dans le Royaume une loi sur la piraterie, et que le Gouvernement du Roi voulût y assimiler la Traite, la penalité à établir ne saurait guères, en regard aux dispositions du Code Pénal Néerlandais, être plus rigoureuse que celle qui existe déjà en vertu des lois de 1818 et 1824.

Le Gouvernement des Pays-Bas a été du reste toujours disposé à combattre, par tous les moyens en son pouvoir, les Trafic des Esclaves, et continuera à suivre cette ligne de conduite, tracée par le devoirs de l'humanité aussi bien que par les stipulations des Traités conclus avec la Grande Bretagne.

Le Soussigné, &c. (Signé) E. CREMERS.

No. 78.

Sir J. Milbanke to Earl Russell.—(*Received March* 6.)

My Lord, *The Hague, March* 2, 1865.

IN reference to the correspondence which has passed between the Netherlands and Her Majesty's Government, and especially to your Lordship's despatch of the 17th of June, 1864, relative to the criminal proceedings instituted against the captain of the slaver "*Jane*," I have the honour to inclose herewith copy of a note addressed to me by the Minister for Foreign Affairs, in which, whilst returning the legalized papers relating thereto which I had placed in his Excellency's hands, I am informed that the trial of the supposed master of that vessel, Gorsira, has terminated in an acquittal, and that the proceedings against the captain, Prince, were arrested by the death of that individual on the 26th of July last.

I have, &c.

(Signed) J. R. MILBANKE.

Inclosure in No. 78.

M. Cremers to Sir J. Milbanke.

La Haye, le 28 *Février*, 1865.

LE Soussigné, Ministre des Affaires Etrangères, a l'honneur de porter à la connaissance de Sir John Milbanke, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique, que d'après les informations qui viennent d'être transmises au Département des Colonies par le Gouverneur de Curaçao, la procédure instituée constate que le Sieur Gorsira, ancien propriétaire du navire "*Jane*," a été entièrement terminée par un verdict acquittant complètement ce dernier du seul fait qui donnait lieu à des soupçons contre lui, savoir, d'avoir prêté son nom à l'effet d'obtenir des lettres de mer Néerlandaises pour le dit navire, qui en réalité serait demeuré propriété étrangère.

L'instruction criminelle entamée à Curaçao contre le Sieur Prince, capitaine de la "*Jane*," n'a pu être continuée, attendu que celui-ci est décédé dans cette ville le 26 Juillet, 1864.

En renvoyant ci-joints à Sir John Milbanke les pièces relatives à la déclaration de bonne prise de la "*Jane*" par la Cour Mixte de Sierra Leone, le Soussigné saisit, &c.

(Signé) E. CREMERS.

PORTUGAL.

No. 79.

Sir A. Magenis to Earl Russell.—(*Received January* 2, 1865.)

My Lord, *Lisbon, December* 12, 1864.

I HAVE the honour to inclose herewith a translation of a note from the Duke de Loulé dated the 6th instant, in reply to the note which I had addressed to his Excellency, in conformity with the instructions contained in your Lordship's despatch of October 8th, complaining of the conduct of Judge Dantas, in admitting to bail at Loanda the captain of the captured Spanish vessel "*Virgen del Refugio*."

This answer appears to me to be very unsatisfactory, and I shall say so to the Duke de Loulé on the first opportunity. The Portuguese Government admits the illegality of Judge Dantas' proceedings, and nevertheless it has done nothing either to inflict punishment on him for his conduct, or to declare the illegality, for the future, of similar conduct; and the Royal order ("Portaria") which has been sent out to Loanda merely endeavours to prevent its recurrence, in a roundabout way, by interposing legal delays.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 79.

The Duke of Loulé to Sir A. Magenis.

(Translation.) *Foreign Office, Lisbon, December* 6, 1864.

IN reply to the note which you were pleased to address to me on the 15th of October last, with respect to the conduct of Judge Dantas, in admitting to bail at Loanda the captain of the Spanish vessel "*Virgen del Refugio*," which had been engaged in the Slave Trade, I have the honour to communicate to you the contents of a despatch dated the 30th of November last, which I have received from the Minister of Marine.

In that despatch his Excellency informs me that the Governor-General of the Province of Angola had reported to him the conduct of that Judge in allowing the bail in question, an act which, in spite of the attempt made in that Court of First Instance to justify it by means of precedents of a similar nature which were quoted, was nevertheless declared to be illegal, on account of the nature of the crime, not only by the Attorney-General attached to the Court of Relação at Loanda, but also by the Councillor and Assistant Attorney-General to the Crown attached to that Department.

That Minister further adds, that in accordance with these views an order ("Portaria") had been sent out to the aforesaid Governor-General, directing him to issue the necessary instructions to the Public Prosecutor ("Ministerio Publico") to the effect that whenever any Judge should think proper to grant bail in cases of a similar nature, he should, in order to prevent it, lodge as many appeals as the law will allow.

I avail, &c.

(Signed) DUKE OF LOULE.

No. 80.

Sir A. Magenis to Earl Russell.—(*Received January* 2, 1865.)

My Lord, *Lisbon, December* 26, 1864.

IN obedience to the instructions contained in your Lordship's despatch dated the 7th instant, I addressed to his Excellency the Duke of Loulé a note, dated the 16th of this month, copy of which I have the honour to inclose, calling his Excellency's attention to the information which has reached Her Majesty's Government, to the effect that the Governor of Benguela stands alone as the encourager of the Slave Trade on the coast of Africa, and as the sharer in its profits; and I requested his Excellency to be good enough to inform me whether any, and if any what, steps had been taken to prevent the exportation of slaves from the Portugueso Possessions in Angola; stating, in conclusion, that it would greatly tend to better the relations of the two Governments, if that of His Most Faithful Majesty would take energetic measures for suppressing the Slave Trade in their Possessions.

To this note his Excellency has, as yet, merely replied by informing me that it had been communicated to the Minister of Marine.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 80.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre, *Lisbon, December* 16, 1864.

HER Majesty's Government have for some time been aware that a considerable number of slaves have been, within the last year, exported from the Portuguese Possessions to the southward of Loanda; and it has been stated to Her Majesty's Government that while the Governors of Angola and Mossamedes appear to be endeavouring conscientiously and strictly to carry out the engagements of the Portuguese Crown for the suppression of the Slave Trade, the Governor of Benguela stands alone as the encourager of that Traffic and the sharer in its profits.

Her Majesty's Principal Secretary of State for Foreign Affairs has instructed me to request your Excellency to inform me whether any, and if any what, steps have been taken to prevent the exportation of slaves from the Portuguese Possessions in Angola, and to punish the parties engaged in this Traffic; which it is no less due to the interests of the Colony than to the engagements of the Portuguese Crown to put a stop to.

I am also instructed by Her Majesty's Government to state that it would greatly tend to better the relations of the two Governments if that of His Most Faithful Majesty would take energetic measures for suppressing the Slave Trade in their Possessions.

I avail, &c.
(Signed) ARTHUR C. MAGENIS.

No. 81.

Sir A. Magenis to Earl Russell.—(*Received January* 2, 1864.)

My Lord, *Lisbon, December* 26, 1864.

IN accordance with the instructions contained in your Lordship's despatch dated the 7th December, I addressed a note to the Duke of Loulé on the 15th instant, copy of which I have the honour to inclose, acquainting the Government of His Most Faithful Majesty with the invitation of Her Majesty's Government to unite in making a general declaration that the Governments who are parties to it to denounce the Slave Trade as piracy.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 81.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre, *Lisbon, December* 15, 1864.

I HAVE the honour, in accordance with instructions which I have received from Her Majesty's Principal Secretary of State for Foreign Affairs, to invite the earnest attention of the Government of His Most Faithful Majesty to certain measures, the adoption of which on the part of the Governments interested in the suppression of the Slave Trade, would, in the opinion of Her Majesty's Government, be most effectual in putting a stop to that atrocious Traffic.

Her Majesty's Government contemplating, on the one hand, with satisfaction the unanimous abhorrence which the crime inspires, and, on the other hand, with pain and disgust the Slave Trading speculations which still subsist, have come to the conclusion that no measure would be so effectual to put a stop to these wicked acts as the punishment of all persons who can be proved to be guilty of carrying slaves across the sea.

Her Majesty's Government therefore invite the Government of His Most Faithful Majesty to consider whether it would not be practicable, honourable, and humane :—

1st. To make a general delaration that the Governments who are parties to it denounce the Slave Trade as piracy.

2ndly. That the aforesaid Governments should propose to their Legislatures to affix the penalties of piracy, already existing in their laws, provided only that the penalty in this case be short of death, to all persons being subjects and citizens of one of the contracting Powers, who shall be convicted in a Court which shall take cognizance of piracy, of being concerned in carrying human beings across the sea for the purpose of sale, or for the purpose of serving as slaves in any country or colony in the world.

In submitting these most important propositions for the serious consideration of the Government of His Most Faithful Majesty, I avail, &c.

(Signed) ARTHUR C. MAGENIS.

No. 82.

Sir A. Magenis to Earl Russell.—(Received January 2, 1865.)

My Lord, *Lisbon, December* 26, 1864.

IN accordance with the instructions conveyed to me in your Lordship's despatch of the 8th instant, I addressed a note to his Excellency the Duke of Loulé on the 15th of this month, copy of which I now inclose, in which, after calling the attention of the Government of His Most Faithful Majesty to the increase of the Slave Trade from the southern portion of the African coast, I requested his Excellency to be good enough to favour me with the Report of Senhor Figueiredo, one of the Judges of the Court of Relação, who was sent by the Governor of Angola to inquire into the state of the Slave Trade in Benguela, and, in conclusion, expressed the deep regret which Her Majesty's Government feel that the best exertions of His Most Faithful Majesty's Government are not made to suppress the Slave Trade.

The Duke of Loulé has as yet only replied to my note by stating that it had been communicated to the Minister of Marine.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 82.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre, *Lisbon, December* 15, 1864.

IN obedience to instructions which I have received from Her Majesty's Principal Secretary of State for Foreign Affairs, I have now the honour to call the attention of the Government of His Most Faithful Majesty to the fact that, although the vigilance of Her Majesty's cruizers has during the last twelve months prevented the export of slaves from the northern part of the West Coast of Africa, it is now chiefly from the southern portion of the African coast that the Cuban market is supplied with slaves. It appears to Her Majesty's Government that there can be no doubt of the fact that a considerable number

of Africans have been shipped from the Portuguese Possessions to the southward of Loanda, and Her Majesty's Government are therefore naturally anxious to learn from what localities these slaves have been embarked, in order that the attention of the commanders of Her Majesty's ships of war may be directed to the neighbourhood of the places from whence these shipments have taken place.

Her Majesty's Government have been informed by Her Majesty's Commissioner at Loanda, that, in conformity with instructions from the Portuguese Government, the Governor-General of Angola sent Senhor Figueiredo, one of the Judges of the Court of Relação, on a special mission to Benguela, with the view, if possible, to discover the persons who have been engaged in the Slave Trade that has lately been carried on in that district, and that the Report of Senhor Figueiredo has been forwarded to Lisbon.

I have been instructed to request your Excellency to be good enough to favour me with the substance of the Judge's Report on this subject, for the information of Her Majesty's Government.

In conclusion, I have been further instructed to express the deep regret which Her Majesty's Government feel that the best exertions of His Most Faithful Majesty's Government are not made to suppress the Slave Trade.

I avail, &c.
(Signed) ARTHUR C. MAGENIS.

No. 83.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, January 7,* 1865.

I TRANSMIT herewith, for your information, a copy of a despatch which I have addressed to Her Majesty's Minister at Madrid on the subject of the Cuban Slave Trade.*

I am, &c.
(Signed) RUSSELL.

No. 84.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, January* 8, 1865.

WITH reference to your despatch of the 28th ultimo, I have to instruct you to acquaint the Portuguese Government that Her Majesty's Government have ascertained that it was to the Island of St. Thomas, in the West Indies, and not to the Portuguese Island of San Thomé, that the notorious Spanish slave-steamer "*Ciceron*" proceeded after her unsuccessful attempt to ship a cargo of slaves from the African coast in the month of June last.

I am, &c.
(Signed) RUSSELL.

No. 85.

Sir A. Magenis to Earl Russell.—(Received February 7.)

My Lord, *Lisbon, January* 28, 1865.

IN obedience to the instructions contained in your Lordship's despatch of the 28th of July last, relating to the Spanish vessel "*Ciceron,*" engaged in the Slave Trade, and reported to have been abandoned by her captain at the Island of San Thomé, I addressed a note to the Duke of Loulé on the 15th of August, copy of which I now inclose, furnishing him with the information which Her Majesty's Government had received with respect to the nefarious designs of the above-mentioned vessel, and stating that Her Majesty's Government would be glad to be informed whether the report of the abandonment of the "*Ciceron*" was well founded, and, if so, what had since become of her.

The Duke of Loulé informed me, under date of the 20th of August, that he had

* No. 121.

applied for information to the Minister of Marine with which he hoped shortly to be enabled to furnish me. I have now the honour to inclose in translation a further reply of his Excellency dated the 20th instant, by which your Lordship will perceive that the contents of my note having been communicated to the Governor of San Thomé, the latter declares that, ever since January of last year when he entered upon his functions, no such steamer or even any of her crew had ever appeared there, and that the suspicions which I had mentioned were groundless.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure 1 in No. 85.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre, *Lisbon, August* 15, 1864.

I HAVE the honour to inform your Excellency that I have been instructed by Earl Russell, &c., to transmit to your Excellency the following imformation respecting the movements of the Spanish steamer "*Ciceron*," a vessel that has notoriously been engaged for some time past in the Cuban Slave Trade, and which information has been obtained from a perfectly reliable source.

It appears that the captain of the "*Ciceron*" having on his last voyage, upon which he started from Marseilles about the middle of last April, made three unsuccessful attempts to communicate with the African coast with the view of shipping a cargo of slaves, which attempts were frustrated by the vigilance of the British cruizers, resolved to abandon the expedition, and he thereupon steamed to the Island of San Thomé, where, with his crew, he is said to have abandoned his vessel and to have returned to Europe.

Her Majesty's Government would be glad to learn whether this report of the abandonment of the "*Ciceron*" at San Thomé is well founded, and, if so, what has since become of her.

In conclusion, I have been instructed by Earl Russell to convey to your Excellency the request of Her Majesty's Government that the Portuguese authorities on the African coast may be warned of the character of this vessel, and that they may be directed to use their best endeavours to frustrate her nefarious designs.

I avail, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure 2 in No. 85.

The Duke of Loulé to Sir A. Magenis.

(Translation.) *Foreign Office, Lisbon, January* 20, 1865.

IN addition to my note dated the 20th of August of last year, and in answer to that which you were pleased to address to me on the 15th of that month, respecting the Spanish steamer "*Ciceron*," which was said to have been abandoned at St. Thomas after having made three attempts to ship slaves on the coast of Africa, I have the honour to communicate to you the information which I have received from the Minister of Marine.

In his despatch of the 14th instant his Excellency states that the contents of your aforesaid note having been communicated to the Governor of that island, the latter declares that ever since January of last year, when he entered upon his functions, no such steamer, or even any of her crew, had ever appeared there, and that he was able to assert that the suspicions mentioned in the note to which I now reply are groundless.

I renew, &c.
(Signed) DUKE OF LOULE.

No. 86.

Sir A. Magenis to Earl Russell.—(Received February 7.)

My Lord, *Lisbon, January* 28, 1865.

I HAVE the honour to inclose to your Lordship copy of a note, dated the 14th instant, addressed by me, on the receipt of your Lordship's despatch of the 31st

December, 1864, to the Duke of Loulé, in which, after calling his Excellency's attention to the manner in which the good intentions of Senhor Andrade, the present Governor-General of Angola, are frustrated, and his endeavours to carry out the engagements of the Portuguese Crown for the suppression of the Slave Trade, neutralized, by the conduct of his subordinate officers, who in some of the southern portions of the province are in league with the slave-dealers, I at the same time pressed upon his Excellency the necessity of removing the local authorities whenever well-grounded suspicions exist of their being in league with slave-dealers.

In the same note I drew his Excellency's attention to the continued export of slaves under the pretence of their being free labourers from the mainland to the Island of St. Thomas, as well as to the Slave Trade from the coast of Benguela; and in order to substantiate my remarks, I furnished his Excellency with an extract from the latter part of the Report of Mr. Vredenburg, Her Majesty's Commissioner at Loanda, having especial reference to my representations.

His Excellency informs me that he has communicated with the Minister of Marine on this subject, and will shortly reply to my note.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 86.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre, *Lisbon, January* 14, 1865.

I INCLOSE herewith an extract from the Report of Her Majesty's Commissioner at Loanda upon the Slave Trade, as connected with the Portuguese Possessions in Angola.

It relates chiefly to the transport of slaves, under the pretence of their being free labourers, from the mainland to the Island of St. Thomas, and to the Slave Trade which is carried on from the coast of Benguela, with the connivance of the subordinate Portuguese authorities.

All the Reports received by Her Majesty's Government tend to prove that the present Governor-General of Angola, Senhor Andrade, honestly and faithfully endeavours, to the best of his ability, to carry out the engagements of the Portuguese Crown for the suppression of the Slave Trade; and Her Majesty's Government bear willing testimony to the zeal and good faith of this officer: but it is nevertheless painfully apparent that the good intentions of the Governor-General are neutralized and his efforts thwarted by his subordinate officers, who in some of the southern portions of the province, are in league with the slave-dealers, and share in their unholy gains.

I have in consequence been instructed by Her Majesty's Government to press upon the Government of His Most Faithful Majesty the necessity of removing the local authorities, whenever there may exist well-grounded suspicions of their being in league with the slave-dealers, and to add that it is only by so doing, and by finding means to punish the parties who are notoriously engaged in the Traffic, that the Government of His Most Faithful Majesty can prove that they are earnest in their endeavours to put a stop to the export of slaves from the Portuguese Possessions on the West Coast of Africa.

I avail, &c.
(Signed) ARTHUR C. MAGENIS.

No. 87.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, March* 4, 1865.

WITH reference to my despatch of the 13th June last, I transmit herewith, for your information, a copy of a note which I have addressed to Count Lavradio, relative to the boarding of the Portuguese mail-steamer "Zaire," by a boat from Her Majesty's ship "Snipe," off the African coast on the 20th of February, 1864.

I am, &c.
(Signed) RUSSELL.

Inclosure in No. 87.

Earl Russell to Count Lavradio.

M. le Comte, *Foreign Office, February* 21, 1865.

I HAD the honour on the 30th of November last to communicate to you a copy of a letter from Lieutenant Battiscombe, commanding Her Majesty's ship "Snipe," reporting the circumstances under which he boarded the Portuguese mail-steamer "Zaire" off the African coast, on the 20th of February last, and I at the same time informed you that the Report in question was written at the time of the occurrence, and therefore before the Commander of the "Snipe" was aware that any complaint had been made by the Government of His Most Faithful Majesty of his having boarded the Portuguese mail-steamer.

I now beg leave to transmit to you a copy of a further letter from Lieutenant Battiscombe,* containing that officer's reply to a despatch addressed to him, informing him that a complaint had been made of his conduct in boarding the "Zaire," and calling upon him for a full report of his proceedings in this case, and I cannot doubt that this Report will prove satisfactory to the Portuguese Government.

I am, &c.
(Signed) RUSSELL.

No. 88.

Sir A. Magenis to Earl Russell.—(Received March 7.)

My Lord, *Lisbon, February* 27, 1865.

IN obedience to the instructions contained in your Lordship's despatch, dated the 8th instant, I addressed to the Duke de Loulé a note, dated the 14th instant, copy of which I have the honour to inclose, informing his Excellency that it was to the Island of St. Thomas, in the West Indies, and not to the Portuguese Island of San Thomé, that the Spanish slave-vessel "*Ciceron*" had proceeded, after an unsuccessful attempt to land her cargo of slaves.

His Excellency replied to my note on the 18th instant, thanking me for my communication.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 88.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre, *Lisbon, February* 14, 1865.

WITH reference to the note which I had the honour to address to your Excellency on the 15th of August last, and to your Excellency's reply to the same of the 20th ultimo, respecting the notorious Spanish slave-steamer "*Ciceron*," I have been instructed by Earl Russell, Her Majesty's Principal Secretary of State for Foreign Affairs, to acquaint your Excellency that Her Majesty's Government have ascertained that it was to the Island of St. Thomas, in the West Indies, and not to the Portuguese Island of San Thomé, that that vessel proceeded, after her unsuccessful attempt to ship a cargo of slaves from the African coast in the month of June last.

I avail, &c.
(Signed) ARTHUR C. MAGENIS.

No. 89.

Sir A. Magenis to Earl Russell.—(Received March 7.)

My Lord, *Lisbon, February* 27, 1865.

WITH reference to my despatches of the 26th December last, inclosing copies of notes which, in obedience to your Lordship's instructions, I had addressed to the Duke

* Class A, No. 60.

of Loulé, calling attention to the increase of the Slave Trade from the south-western portion of the Portuguese Possessions on the African coast, and to the alleged complicity of the Governor of Benguela in the Slave Trade; and asking, at the same time, for a copy of the Report of Senhor Figueiredo, sent by the Governor of Angola to inquire into the state of the Slave Trade in Benguela, I have now the honour to inclose translation of his Excellency's reply, dated the 9th instant.

Your Lordship will perceive that, instead of a copy of Senhor Figueiredo's Report, the Duke of Loulé has furnished me with extract of a despatch addressed to him by the Minister of Marine, from which your Lordship will gather that Senhor Figueiredo was unable to obtain proofs of the complicity of the Governor of Benguela (who has since been replaced), or indeed of any other persons, in the Slave Trade; and that he points to certain parts of the coast, where, in his opinion, steamers might be advantageously ordered to cruize.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure 1 in No. 89.

The Duke of Loulé to Sir A. Magenis.

(Translation.)

Sir, *Foreign Office, Lisbon, February* 9, 1865.

IN the two notes which you were pleased to address to me on the 15th and 16th of December of last year, with respect to Slave Trade speculations southward of Loanda, you stated that your Government had been informed that several shipments had been made there during the year 1863, with the connivance of the Governor of Benguela, and that, for this reason, you wished to know what steps had been taken in the matter, and at what places those shipments are more usually effected; and in fine you requested to be furnished with an extract from the report of Judge Figueiredo, who went to Benguela charged with the mission of inquiring into the Traffic in Slaves.

In compliance with your wishes I have the honour to inclose herewith copy of part of a despatch which was addressed to me on the 30th of January last, by the Minister of Marine and for the Colonies.

From the contents of the same you will perceive that His Majesty's Government have continued to employ all their endeavours to frustrate the attempts of the slave-dealers, and also what was the result of the inquiry made by that magistrate, who went through several places on the coast between Loanda and Benguela, but could not obtain anywhere clear proofs of any shipment of slaves having been effected there.

With regard to the connivance on the part of the aforesaid Governor (who has since been replaced) in those speculations, you will observe that the Judge above-mentioned did not gather any information tending to his discredit.

I renew, &c.
(Signed) DUKE OF LOULE.

Inclosure 2 in No. 89.

The Minister of Marine to the Duke of Loulé.

(Translation.)

(Extract.) *Lisbon, January* 30, 1865.

WITH reference to the period mentioned (1863), nothing further was received in this Department with the exception of a despatch from the Governor-General of the Province of Angola, dated the 7th of March, 1863, reporting the captures made by the British cruizers of the brig "*Venus*" and of the vessel (patacho) "*Laura*," on suspicion of being engaged in the Slave Trade; but of these, the brig was declared to be an illegal prize.

If any Slave Trade attempts have been made subsequently, that is, in 1864, nothing else is known in the Department under my charge, except the capture and condemnation of the Spanish brigantine "*Virgen del Refugio*" (which was due to the vigilance of the Portuguese authorities), and the capture of the schooner (palhabote) "*Congo*" by the British cruizers, but which was afterwards adjudged to be an illegal prize.

The Government, being desirous of preventing, by all the means in their power, the continuation of these speculations, and in consequence of the note of Her Britannic Majesty's Minister, which formed the subject of your Excellency's despatch of the 19th of

April of last year, and in which it was stated that the Slave Trade had been recommenced in that Portuguese possession, repeated their orders to the Governor of the province to endeavour to discover any attempts to carry on that criminal traffic, and to proceed against the guilty with all the severity of the law.

It was in consequence of these injunctions that the Judge of the judicial district of Loanda, M. Figueiredo, was commissioned to go to Benguela for the purpose of instituting a most strict inquiry into the crimes of Traffic in Slaves committed there. That magistrate accomplished his mission with scrupulous exactness; and from his report, it may be seen that after leaving Loanda he visited several places on the coast as far as Benguela, making the most minute inquiries, and examining sixty-three witnesses. At none of these places was he able to obtain any clear proofs of shipments of slaves having been made, for only a few witnesses alluded to their having heard it said that some shipments had taken place, without mentioning either names or persons. With regard to the connivance on the part of the Governor of Benguela (who has since been replaced) in those speculations, he did not gather any information tending to his discredit, but rather, on the contrary, the witnesses spoke in his favour.

He says that there are places in Benguela, at a good distance from the city, which ought very properly to be watched, as there are no authorities in those places; and after making several remarks with respect to the proper measures to be taken, and to which the Government have given their best attention, he also states, that if a steamer were to cruize between Cape Saint Blase (Sao Braz), or at least between the neighbourhood of Old Benguela and Quicembó, and from time to time as far as Benguela, another from Benguela until beyond Cape St. Mary, wherever there may be factories in communication with Benguela, and another between Loanda and the Zaire, it appears to him that the slave-dealers will abandon all further idea of dealing in slaves in the Province of Angola.

No. 90.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, March 15, 1865.*

WITH reference to my despatches of the 7th and 31st of December last, I inclose for your information a copy of a further despatch from Her Majesty's Commissioner at Loanda,* containing an account of his proceedings on the occasion of a visit which he made to the southern coast of the Province of Angola, for the purpose of inquiring into the Slave Trade operations that have recently been carried on to so great an extent in that quarter.

Although Mr. Vredenburg was unsuccessful in discovering the names of the persons engaged in these slave-trading transactions, the information procured by him left little room for doubting that Senhor Gamitto, the late Governor of Benguela, was deeply implicated, and that he connived at and participated in the profits of the Traffic in Slaves which it was his duty to have suppressed by all the means in his power.

I have to desire that you will communicate the substance of Mr. Vredenburg's Report to the Portuguese Government, and in doing so you will express the confident expectation of Her Majesty's Government that the Government of His Most Faithful Majesty will find some means of punishing Senhor Gamitto, or of otherwise marking their sense of the betrayal by that officer of the trust placed in him by his Sovereign.

I have further to desire that you will make known to the Viscount de Sá da Bandeira the particulars of the information which has been recently communicated to you regarding the shipments of slaves from the Portuguese Possessions to the southward of Loanda. You will say that Her Majesty's Government having a lively recollection of the successful exertions of his Excellency on a former occasion to put a stop to the exportation of slaves from the Portuguese Possessions in Loanda, do not doubt that he will now adopt whatever measures may be necessary for the discovery and punishment of the parties engaged in the late slave-trading transactions in Angola, and for the vindication of the good faith of the Portuguese Crown in carrying out its Treaty engagements for the suppression of the Slave Trade.

I am, &c.
(Signed) RUSSELL.

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* Class A, No. 36.

No. 91.

Sir A. Magenis to Earl Russell.—(Received April 5.)

My Lord, *Lisbon, March* 27, 1865.

IN obedience to the instructions contained in your Lordship's despatch of the 15th instant, I addressed a note to the Duke de Loulé on the 21th instant (copy of which I have now the honour to inclose), giving his Excellency the substance of the Report of Her Majesty's Commissioner at Loanda, on the occasion of his recent visit to the south coast of Angola, for the purpose of endeavouring to obtain positive information respecting the complicity of the late Governor of Benguela, or others, in the Slave Trade, and expressing the confident expectation of Her Majesty's Government that the Government of His Most Faithful Majesty will find some means of punishing Senhor Gamitto, or of otherwise marking their sense of the betrayal by that officer of the trust placed in him by his Sovereign.

To this note I have not as yet received a reply.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 91.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre, *Lisbon, March* 24, 1865.

WITH reference to my note of the 16th December last, calling your Excellency's attention to the alleged connivance of the Governor of Benguela in the Slave Trade carried on from the south-west portion of the Portuguese Possessions in Africa, I have received the instructions of Her Majesty's Government to communicate to the Government of His Most Faithful Majesty the substance of a Report from Her Majesty's Commissioner at Loanda on the occasion of his visit to the south coast of Angola, by which it appears that although that officer was unable to discover the names of the persons engaged in these slave-trading transactions, the information procured by him left little room for doubting that Senhor Gamitto, the late Governor of Benguela, was deeply implicated, and that he connived at and participated in the profits of the Traffic in Slaves, which it was his duty to have suppressed by all the means in his power.

Mr. Vredenburg, the author of the Report in question, embarked on board Her Majesty's ship "Dart," on the 8th December last, for the purpose of visiting the coast to the southward of Loanda, with the object of discovering, if possible, the names of the persons engaged in the slave-trading operations which had been carried on from Benguela during the eighteen months previous.

Her Majesty's Commissioner first visited the settlements of Benguela Velha and Quicombo. At these places, the persons with whom he communicated, while admitting that many slaves had been sent from the district, maintained that the shipments had taken place further south, at the same time disclaiming all knowledge of those concerned in these transactions. At Benguela, the next place visited, although not one among the many persons with whom Mr. Vredenburg conversed upon the subject attempted to deny that slave-trading operations had taken place in the neighbourhood, they all professed ignorance as to the persons who had been engaged in them.

The Acting Governor-General of this latter town, Major Godinho, notwithstanding the difficulties which frustrated every attempt on his part to obtain direct testimony on this matter, did not hesitate to inform Her Majesty's Commissioner that, in the space of the two months during which he had been charged with the government of the district, he had "learnt enough to satisfy him that the slave-trading which Senhor Gamitto had sanctioned had been scandalous and disgraceful." Major Godinho stated, in explanation of the inability of obtaining positive proofs against the offenders under which he laboured, that the greater part of the inhabitants were interested and compromised, adding, however, that although all his information was from hearsay, it was notorious that the late Governor had received large bribes to connive at the slaving operations.

Among other matters, the Governor mentioned a statement that a shipment of slaves had even been made in a small bay at the entrance of the Bay of Benguela (Bahia Farta), the ship lying afterwards becalmed before the town.

At Mossamedes Her Majesty's Commissioner met with similar general admissions as to the connivance of the late Governor and the importance of the slave-trading transac-

tions which had been carried on, coupled with the same careful reticience with respect to names and particulars. Here, too, the Governor, Senhor Costa Leal, spoken of in the Report as "a determined enemy of the Slave Trade," and one who having himself officially denounced the slave-trading operations carried on in Benguela, had every interest in obtaining evidence of the fact, was nevertheless compelled to admit the futility of his endeavours in that direction. Although persons from Benguela had been willing to inform him, in confidence, how for one particular shipment Senhor Gamitto had received 2 contos of reis (444*l.*), for such another a similar sum, that his last trip to Novo Redondo, prior to his departure, was to obtain a balance due for a shipment that he had permitted, and that the Administrador of the Custom-house and the Commander of the Troops also received certain sums as the price of their connivance, still these persons all declined, when questioned, to accompany their assertions with a statement of details.

After leaving Mossamedes, Her Majesty's Commissioner visited Elephant Bay and Equimina, and, touching once more at Benguela on his way back, returned to Loanda on the 29th of December, without having been able to gather any further information respecting the persons implicated in the recent slave-trading transactions. The unwillingness, on the part of the subordinate authorities, to say anything which might inculpate each other or their superiors, had universally frustrated his endeavours to obtain categorical proofs of a criminal participation in the Slave Trade, respecting the reality of which, however, those best calculated to judge do not apparently entertain the shadow of a doubt.

On his return to Loanda, Mr. Vredenburg waited upon the Governor-General, and acquainted him with what he had heard respecting the late Governor of Benguela. His Excellency stated, in reply, that as substantial charges had been made against Senhor Gamitto, it was his intention to send down a Commissioner to Benguela, with the special object of inquiring into his proceedings.

Mr. Vredenburg takes occasion, in this Report, to reiterate the high opinion entertained by him of the present Governor-General, who, it seems, has himself often expressed to Her Majesty's Commissioner his disgust and abhorrence of the character of many of his subordinates, whose conduct tended to throw discredit on him in the eyes of those unacquainted with him; lamenting, at the same time, the want of success which had hitherto attended his efforts to find more trustworthy persons.

It is to this corruption and venality which, as unfortunately must be admitted, prevail among many of the authorities of the Portuguese Possessions in South Africa, that Her Majesty's Commissioner attributes the small grounds which at present exist for hoping that the Slave Trade will become extinct in those territories; an evil condition of things which can only be met by a most careful selection, on the part of the Portuguese Government, of thoroughly honest and fit persons to hold appointments in these Colonies, and by inexorably visiting those officials found guilty of delinquency with a punishment proportioned to so heinous an offence.

In conclusion, therefore, I have been instructed by Her Majesty's Government to express their confident expectation that the Government of His Most Faithful Majesty will find some means of punishing Senhor Gamitto, or of otherwise marking their sense of the betrayal by that officer of the trust placed in him by his Sovereign.

I avail, &c.

(Signed) ARTHUR C. MAGENIS.

No. 92.

Sir A. Magenis to Earl Russell.—(*Received April* 5.)

My Lord, *Lisbon, March* 27, 1865.

I HAVE the honour to inclose copy of a note which, in obedience to the instructions contained in your Lordship's despatch dated the 15th ultimo, I addressed on the 13th instant to the Duke of Loulé, requesting his Excellency to convey to the Governor-General of Mozambique the thanks of Her Majesty's Government for the assistance rendered by that functionary to Commander Parr, of Her Majesty's ship "Lyra," in the month of November last, on the occasion of a boat from the ship under his command being lost in the Mozambique Channel.

I also inclose a translation of his Excellency's reply, dated the 17th instant.

I have, &c.

(Signed) ARTHUR C. MAGENIS

Inclosure 1 in No. 92.

Sir A. Magenis to the Duke of Loulé.

M. le Ministre, *Lisbon, March* 13, 1865.

I HAVE received the instructions of Her Majesty's Government to request the Government of His Most Faithful Majesty to convey to the Governor-General of Mozambique their thanks for the kind and prompt assistance rendered by him to Commander Parr, of Her Majesty's ship "Lyra," in the month of November last, on the occasion of a boat from the ship under his command being lost in the Mozambique Channel, and two of her crew being, as it is supposed, afterwards murdered by the natives.

The Governor-General of Mozambique lent Commander Parr a small steamer, and otherwise assisted that officer in a search for his missing boat, and for the men who were supposed to have been murdered, for which services Her Majesty's Government are now desirous that their thanks should be conveyed to that official.

I avail, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure 2 in No. 92.

The Duke of Loulé to Sir A. Magenis.

(Translation.) *Lisbon, March* 17, 1865.

I HAVE the honour to acknowledge the receipt of the note which you were pleased to address to me on the 13th instant, requesting that the thanks of your Government should be transmitted to the Governor-General of the Province of the Mozambique for the prompt and effective assistance which he rendered to Commander Parr of Her Britannic Majesty's ship "Lyra," on the occasion of the loss of a boat belonging to that ship.

I have communicated the contents of that note to the Department for the Navy and Colonies for the proper purposes, and His Majesty's Government feel great satisfaction that the conduct of that official should have been pleasing to Her Britannic Majesty's Government.

I avail, &c.

(Signed) DUKE OF LOULE.

No. 93.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, April* 17, 1865.

WITH reference to Mr. Vredenburg's despatch to me of the 20th of January last, transmitted to you under flying seal, in which he reports the capture of the mate of the Spanish slave-steamer "*Ciceron*," I transmit to you a copy of a letter from the Commander of Her Majesty's ship "Griffon,"* which has been communicated to me by the Lords Commissioners of the Admiralty, containing further information respecting the movements of the "*Ciceron*," which vessel you will perceive has been again thwarted in an attempt to ship a cargo of slaves from the African coast.

I have to desire that you will communicate the foregoing information to the Portuguese Government, and express the earnest hope of Her Majesty's Government that the mate of the "*Ciceron*," who is now in gaol in Angola, may meet with the punishment he so justly deserves, for engaging in the inhuman Traffic in Slaves.

You will further inform the Portuguese Minister that Her Majesty's Government have received advices from Cuba reporting the arrival of the "*Ciceron*" at a port in that island, after her unsuccessful attempt to procure slaves on the African coast, and she is stated now to have gone to Matamoros to ship a cargo of cotton; but it is possible, as her commander was formerly engaged in Slave Traffic on the East Coast of Africa, that she may, on her next voyage, endeavour to procure a cargo of slaves from thence.

I am, &c.

(Signed) RUSSELL.

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* Class A, No. 65.

No. 94.

Sir A. Magenis to Earl Russell.—(Received May 3.)

My Lord, *Lisbon, April 26, 1865.*

WITH reference to my despatch dated the 28th January, inclosing copy of a note which, in accordance with your Lordship's instructions, I had addressed to the Duke de Loulé on the 14th January, calling his Excellency's attention to the continued export of slaves, under the pretence of their being free labourers, from the mainland to the Island of St. Thomas, as well as to the Slave Trade from Benguela, and the connivance of the subaltern Portuguese authorities generally, and furnishing his Excellency with an extract from the Report of Her Majesty's Commissioner at Loanda; I have now the honour to inclose translation of the reply of the Portuguese Government dated the 19th instant.

Count d'Avila incloses copy of a note from the Department of the Navy and Colonies translation of which I also transmit), endeavouring to prove that many of the complaints of Her Majesty's Government are groundless. For what regards the export of free negroes, his Excellency refers me to previous notes, copies of which were forwarded to your Lordship in my despatches of April 5, 1862, of June 5 and of November 26, 1863; and after reiterating the assurance that the Government of His Most Faithful Majesty has hitherto complied, and will always comply by all means in their power, with the Treaty of the 3rd of July, 1842, concludes by informing me that a copy of the extract from Mr. Vredenburg's report will be forwarded for the information of the Governor-General of Angola.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure 1 in No. 94.

Count d'Avila to Sir A. Magenis.

(Translation.) *Foreign Office, Lisbon, April 19, 1865.*

WITH reference to the note, dated the 14th of January last, which you addressed to my predecessor, communicating an extract from a Report of the British Commissioner at Loanda respecting the transport of negroes from the African continent to the Island of St. Thomas, and the Slave Trade said to be carried on at Benguela, with the connivance of the local authorities, I have the honour to forward herewith the copy of a despatch from the Department for the Navy and the Colonies, dated the 31st of March last.

From the contents of that despatch, you will observe that the question of the transport of free negroes or freed-men (libertos) to St. Thomas must be looked upon to have been sufficiently elucidated by the correspondence of which copies were forwarded to you on the 26th of March, 1862, 22nd of May, and 24th of November, 1863.

With respect to the Slave Trade speculations to the south of Loanda, reference is made in that despatch to the correspondence which was communicated to you on the 9th of February last. It is stated therein, that it has been clearly shown and proved that many of the complaints made by Her Britannic Majesty's Government against the Portuguese authorities in Africa are groundless; that those functionaries in our African provinces against whom there have appeared proofs of connivance in the traffic have been dismissed and proceeded against; and that the Portuguese Government have up to the present day, and will always comply by all means in their power with the Treaty of the 3rd of July, 1842.

You will, however, perceive from the above-mentioned despatch that a copy of the extract from the Report of the British Commissioner would be forwarded to the Governor-General of Angola for his own information, and in order that he may renew his orders for the effectual repression of the Slave Trade, and for the punishment with the full rigour of the laws of any functionary that should transgress them.

I avail, &c.
(Signed) COUNT D'AVILA.

Inclosure 2 in No. 94.

The Duke of Loulé to Count d'Avila.

(Translation.) *Department for the Navy and Colonies,*
Most Illustrious and Excellent Sir, *March* 31, 1865.

I RECEIVED your Excellency's despatch dated the 30th of January last, inclosing the copy of a note in which Her Britannic Majesty's Minister at Lisbon states, with reference to the extract which he forwarded from the Report of the British Commissioner at Loanda, that he had received instructions from his Government to press upon the Portuguese Government the necessity of removing the local authorities of the Province of Angola, whenever there may exist well-grounded suspicions of their being in league with the slave-dealers, and of punishing the individuals who are notoriously engaged in the Slave Trade; and in accordance with your Excellency's wishes that I should, after taking cognizance of those documents, enable you to reply in a proper manner to that Minister, I have the honour to state to your Excellency what follows.

The extract from that report chiefly refers to the transport of negroes from the African continent to the Island of St. Thomas under the pretence (according to the statement made by the British Commissioner) of their being free labourers; and to the Slave Trade on the coast of Benguela, which, according to the same Commissioner, is carried on with the connivance of the subaltern Portuguese authorities.

With respect to the first part, Her Britannic Majesty's Minister does not say anything in his note, and as far as regards the second part, he himself acknowledges that all the reports received by his Government tend to prove that the present Governor-General of Angola honestly and faithfully endeavours to the best of his ability to comply with the engagements of the Portuguese Crown for the suppression of the Slave Trade; nevertheless, that Minister declares, in conclusion, that the good intentions of that Governor are neutralized and his efforts thwarted by his subordinates, who in some places to the south of the province are in league with the slave-dealers.

On examining the above-mentioned Report, we see that the British Commissioner gives the following information:—

1. That the Governor-General of Angola has scrupulously kept his resolution of not granting passports to slaves for St. Thomas, but that all ships bound to that island have carried ten freedmen ("libertos").

2. That the same Governor, entertaining suspicions that the two men who had obtained passports as freedmen were slaves, had directed the necessary inquiries to be made; and that in fine it had been proved that as they had never been registered as slaves they were free according to law.

3. That a Portuguese felucca had been captured with thirty or forty slaves who had embarked in French territory for the Islands of Princes and St. Thomas.

4. That the landowner in St. Thomas, Senhor José Maria Prado, had entered into a contract for supplying the French possession on the Gaboon with cattle; and that his vessels, after discharging, proceed to take in slaves between that place and Cape St. Catherine, and particularly in the neighbourhood of the River Cama, and convey them to St. Thomas.

5. That the Governor-General of St. Thomas had sent a special Commissioner to Benguela for the purpose of obtaining evidence with a view to the punishment of the offenders; that he has done all in his power to impress on the minds of the subaltern authorities the obligations and duties which they owe to society and to the nation in whose service they are engaged; and that in consequence of information given by the same Governor-General a barque fully equipped for the Slave Trade had been captured by the British cruizers.

6. That the officer in command of the Portuguese Naval Station, Captain Garção, deserves the highest praise for the zeal and energy with which he has acted, thus showing himself in marked contrast to his predecessor.

In reply to each of these items of information given by Her Britannic Majesty's Commissioner at Loanda, I have the honour to state to your Excellency,—

1. That the question of the transport of blacks, either freedmen ("libertos") or free, to St. Thomas has been already sufficiently elucidated in the despatches from this Department under my charge, of the 24th of February, 7th of March, 5th of June, and 28th of October, 1862, and 27th of June and 10th of November, 1863.

2. That from the above information it may be seen that the Governor-General of Angola endeavours, as it is his duty, to prevent his orders being frustrated with respect to the granting of passports only to blacks who are either freed men or free, and not to slave negroes. Your Excellency is well aware that all slaves that existed in the Portuguese

trans-marine dominions at the time of the publication of the Law of December 14, 1854, were ordered to be registered; and that those whose names were not inscribed in that register were to be considered as freedmen (libertos); and that the sale of the service of these freedmen (libertos) for a period of ten years, would be lawful in accordance with the same law.

3. That until Her Britannic Majesty's Government shall have made a Treaty with France upon the same terms as the one with Portugal, for the suppression of the Slave Trade, it will be possible to carry on that trade from the French Possessions, without the possibility of any nation preventing it.

4. That if the British Commissioner can assure the truth of what he states, nothing could be easier than for him to inform the Commanders of the several naval stations, in order that such vessels may be captured; and nothing is more difficult than to prevent the shipment of slaves from that part of the African coast which is not subject to the Portuguese dominion.

5. That the information given by the British Commissioner respecting the good services rendered by the Governor-General of Angola contain the well-merited praise of the chief authority in the Province, and they agree with the statement made by Her Majesty's Minister in his regard in the note above mentioned.

6. That the fact of the chief naval and civil authorities of Angola being thus praised and held in good repute affords a proof, confirmed by the testimony even of a British functionary, that the orders of the Portuguese Government for the effectual prevention of the exportation of slaves from the West Coast of Africa are carried into execution.

In fine, I refer to the statement made to your Excellency in the despatch from the Department under my charge, dated the 15th of April of last year, upon the Slave Trade carried on in the African territory by Portuguese subjects, and to the statement contained in the despatch of the 30th of January of this year upon Slave Trade speculations to the south of Loanda; and as I am not aware up to the present day that the reasons alleged by my predecessors in this Department had been called in question by Her Britannic Majesty's Government, it only remains for me to add, that I can crave your Excellency's permission to state, with respect to the remark made by Her Britannic Majesty's Minister in Lisbon, that the good intentions of the Governor-General of Angola are neutralized, and his endeavours thwarted by his subordinates, that this remark does not agree with what all the Reports received by Her Britannic Majesty's Government tend to prove (as that Minister himself states).

As those Reports prove that the aforesaid Governor-General complies with his duties as far as regards the suppression of the Slave Trade, it is clear that if his subordinates did not comply with their duty, he would never allow any functionaries to continue to serve in the Province under his charge who should disobey him, as soon as their disobedience was proved. And with respect to the expediency suggested by the same Minister, of removing the local authorities of Angola, and of punishing all individuals who may be suspected of being in league with the slave-dealers, your Excellency knows very well that neither the Portuguese Government nor any Representative Government can either remove or punish any Portuguese subjects, whether they be authorities or private individuals, only on suspicion of their guilt.

But it has been already clearly shown and proved in the despatches above mentioned, and in other previous ones, that many of the complaints brought forward by Her Britannic Majesty's Government against the Portuguese authorities in Africa are void of foundation; that as soon as there have been any proofs of connivance in the Trade on the part of our functionaries in the African Provinces, they have been dismissed and proceeded against; that the chief authorities of those Provinces comply with their duties, and labour vigilantly for the repression of the Traffic, as the British Commissioner himself has recently acknowledged; that it is not the Portuguese alone who are engaged in the Slave Trade, and that the Government of His Most Faithful Majesty have complied up to the present day with the Treaty of the 3rd of July, 1842, and will cause it to be complied with by all the means in their power.

But notwithstanding what has been stated above, a copy of the extract from the Report which was inclosed in your Excellency's despatch of the 30th of January last, will be forwarded under this date to the Governor-General of Angola, not only for the purpose of apprizing him of the information sent by the British Commissioner to his own Government, but likewise that he may, with reference to the same, earnestly repeat his orders for the effectual repression of the Slave Trade, and endeavour to find out whether there is any pretext for charging his subordinates with connivance in that Traffic, and in case there should be, for him to proceed against the delinquents with all the rigour of the law.

God preserve, &c. (Signed) DUKE OF LOULE.

No. 95.

Sir A. Magenis to Earl Russell.—(*Received May* 3.)

My Lord, *Lisbon, April* 26, 1865.

IN obedience to the instructions contained in your Lordship's despatch of the 17th instant, I addressed a note to Count d'Avila, dated yesterday, copy of which I have the honour to inclose, informing him of the re-appearance of the slave-steamer "*Ciceron*" on the coast of Africa, and of her subsequent movements, as well as of the capture of her mate, and expressing the hope of Her Majesty's Government that the latter may be visited with the punishment he deserves for engaging in the Slave Traffic.

I have, &c.

(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 95.

Sir A. Magenis to Count d'Avila.

M. le Ministre, *Lisbon, April* 25, 1865.

IN a note dated the 15th of August, 1864, I had the honour to draw the attention of the Government of His Most Faithful Majesty to the suspicious movements of the Spanish vessel "*Ciceron*," which ship was then supposed to have been abandoned by her captain at the Island of San Thomé, after three unsuccessful attempts to ship slaves on the African coast. In a subsequent note dated the 14th of February last, I informed his Excellency the Duke of Loulé that Her Majesty's Government had learnt that it was to the Island of St. Thomas in the West Indies, and not to the Portuguese Island of San Thomé, that this vessel proceeded after failing to ship a cargo of slaves.

I have now received the instructions of Her Majesty's Government to acquaint the Government of His Most Faithful Majesty with the following further information respecting the movements of the "*Ciceron*," which has been received from the commander of Her Majesty's ship "Griffon." From this it appears that a slave-steamer was chased by Her Majesty's ship "Archer" off Red Point, on the African coast, on the 5th of December last; that, on the following day, a boat was captured in the same neighbourhood by the cutter of Her Majesty's ship "Griffon," the coxswain of which (José d'Avida, a Portuguese), subsequently stated that the boat belonged to the slave-steamer "*Ciceron*." This man further declared that the "*Ciceron*" or "*Elvira*," commanded by Don Pedro Mas, a Spaniard, cleared from Cadiz on the 26th October for Matamoros, but proceeded direct to the Bight of Benin for slaves; that she made the land near Aghwey on two different occasions, each time being chased off again by the cruizers; that the captain, finding it impossible to ship slaves in that neighbourhood, declared his intention of going to the Congo, and on the 24th November made Point Padrone, and sent boats into Moanda with letters to one Senhor Oliveira, the "*Ciceron*" meanwhile standing out to sea; that the ship has a large quantity of blankets, shoes, and provisions on board for Matamoros, which were shipped at Cadiz to clear expenses in case she failed in obtaining a slave cargo; and, finally, that her captain had said that if slaves were not to be procured at Moanda at once, he would be obliged to leave the coast on account of shortness of coal.

Acting on this and other information, Commander Perry examined the coast in the neighbourhood, but without falling in with the "*Ciceron*," though that vessel was twice sighted (on the 24th November and 9th December) by Her Majesty's ship "Snipe," on both occasions steering for Vista. Commander Perry states, as the result of his investigations, that there were no slaves ready near Congo, nor money to buy them, but that any number could be got ready for shipment in a week, if money or goods were forthcoming. He adds as his opinion, that if the "*Ciceron*" left the coast where he was stationed without slaves, she would probably put into Annobon for wood, and possibly into St. Thomas for coal, and then pass by the Bights once more before returning to Matamoros.

Her Majesty's Government have also received information that the mate of the "*Ciceron*" has been captured and is now in jail in Angola, and I have therefore been instructed to express the earnest hope of Her Majesty's Government that he may meet with the punishment he so justly deserves for engaging in the inhuman Traffic in Slaves.

In conclusion I have likewise the honour to inform your Excellency that Her Majesty's Government have heard of the arrival in Cuba of the slave-steamer "*Ciceron*" after her failure to ship slaves on the African coast, and that she is now stated to have gone to Matamoros to ship a cargo of cotton, but that as her commander was formerly engaged in

the Slave Traffic on the East Coast of Africa, it is thought possible that she may on the next voyage endeavour to procure a cargo of slaves from thence.

I avail, &c.
(Signed) ARTHUR C. MAGENIS.

No. 96.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, May* 8, 1865.

WITH reference to your despatch of the 26th ultimo and to previous correspondence relative to the notorious Spanish slave-steamer "*Ciceron*," I have to acquaint you that by despatches received from Her Majesty's Minister in Mexico, and from Her Majesty's Consul-General in Cuba, it appears that this vessel was transferred to the Mexican flag in the month of March last at the port of Tampico, and that she is now sailing under the name of the "*Margarita Quintero*."

As, however, she retains the same captain, crew, and supercargo, it may be inferred that the "*Ciceron*'s" name and flag have been changed only the better to enable her to carry on the Traffic in Slaves, in which she has been for the last two years engaged.

I have to desire that you will communicate this information to the Portuguese Government.

I am, &c.
(Signed) RUSSELL.

No. 97.

Earl Russell to Sir A. Magenis.

Sir, *Foreign Office, June* 1, 1865.

I TRANSMIT to you, for your information, an extract from a Report of Captain Gardner,* of Her Majesty's ship "Orestes," relative to the Slave Trade on the East Coast of Africa, in the neighbourhood of Mozambique and the Island of Madagascar.

I am, &c.
(Signed) RUSSELL.

No. 98.

Sir A. Magenis to Earl Russell.—(*Received June* 4.)

My Lord, *Lisbon, May* 23, 1865.

WITH reference to my despatch of the 27th of March last, I have the honour to forward to your Lordship the inclosed translation of a note which I have received from his Excellency Count d'Avila, in reply to that dated March 24th which I addressed to his Excellency's predecessor in office, and in which he states that the Minister of Marine had issued an order on the 5th instant to the Governor-General of Angola to institute judicial proceedings against the ex-Governor of Benguela, M. Gamitto, as soon as he should have obtained proofs of his guilt and connivance in the slave-trading operations said to have been carried on in Benguela.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure in No. 98.

Count d'Avila to Sir A. Magenis.

(Translation.) *Foreign Department, Lisbon, May* 13, 1865.

WITH reference to the note which you addressed to my predecessor on the 24th of March last with respect to the Slave Trade operations said to be carried on at Benguela,

* Class A, No. 89.

and in which it appeared that the ex-Governor, M. Gamitto, was implicated, I have the honour to state to you that the Minister of Marine informed me on the 5th instant that on that day he would issue an order to the Governor-General of the Province of Angola, in order that, after taking cognizance of the facts mentioned in your note above mentioned, he should proceed as soon as possible to make the proper inquiries, and institute judicial proceedings against that ex-Governor as soon as some proof of his guilt shall have been obtained.

I renew, &c.
(Signed) COUNT D'AVILA.

No. 99.

Sir A. Magenis to Earl Russell.—(Received June 4.)

My Lord, *Lisbon, May 23, 1865.*

IN obedience to the instructions contained in your Lordship's despatch dated the 8th instant, I addressed, on the 13th instant, a note to Count d'Avila, informing his Excellency of the transfer of the Spanish steam-slaver "*Ciceron*" to the Mexican flag, under the name of the "*Margarita Quintero.*"

I have the honour to inclose, for your Lordship's information, a copy of that note, and also a translation of a note from Count d'Avila acknowledging the receipt of my communication to him on this subject.

I have, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure 1 in No. 99.

Sir A. Magenis to Count d'Avila.

M. le Ministre, *Lisbon, May 13, 1865.*

WITH reference to my note of the 25th ultimo, bringing to the knowledge of your Excellency certain information respecting the late movements of the notorious slave-steamer "*Ciceron,*" I have now received the instructions of Her Majesty's Government to acquaint the Government of His Most Faithful Majesty that it appears, from despatches received from Her Majesty's Minister in Mexico and from Her Majesty's Consul-General in Cuba, that this vessel was transferred to the Mexican flag in the month of March last, at the port of Tampico, and that she is now sailing under the name of the "*Margarita Quintero,*" retaining, however, the same captain and supercargo as before; from which it may be inferred that the "*Ciceron's*" name and flag have been changed only the better to enable her to carry on the Traffic in Slaves in which she has been for the last two years engaged.

I avail, &c.
(Signed) ARTHUR C. MAGENIS.

Inclosure 2 in No. 99.

Count d'Avila to Sir A. Magenis.

(Translation.) *Foreign Department, Lisbon, May 16, 1865.*

I HAVE the honour to acknowledge the receipt of the note which you were pleased to address to me on the 13th instant, giving me, by order of your Government, further information respecting the steam-slaver "*Ciceron,*" which is navigated at present under the Mexican flag, and under the name of "*Margarita Quintero.*"

While thanking you for the above information, it is my duty to state to you that I have this day communicated the same to the Minister of Marine for the proper purpose.

I avail, &c.
(Signed) COUNT D'AVILA.

No. 100.

Earl Russell to Mr. Lytton.

Sir, *Foreign Office, June* 19, 1865.

WITH reference to my despatch to Sir A. Magenis of the 1st instant, I transmit for your information, and for communication to the Portuguese Government, the accompanying extract of a despatch from Her Majesty's Consul at the Comoro Islands, relative to the Slave Trade carried on from the Portuguese Possessions on the East Coast of Africa.*

I am, &c.

(Signed) RUSSELL.

P.S.—I also inclose a copy of a despatch on the same subject from Her Majesty's Commissioner at the Cape of Good Hope.†

No. 101.

Mr. Lytton to Earl Russell.—(Received July 14.)

My Lord, *Lisbon, July* 1, 1865.

WITH reference to your Lordship's despatch of the 1st June to Sir A. Magenis, and to your Lordship's despatch of the 19th ultimo to myself, I have now the honour to transmit to your Lordship copy of a note which I have addressed to Count d'Avila, calling the notice of his Excellency to the activity given to the Slave Trade on the East Coast of Africa, about Mozambique and Madagascar, in consequence of the commercial restrictions imposed along that part of the coast over which the Portuguese authorities claim jurisdiction.

I have, &c.

(Signed) RT. LYTTON.

Inclosure in No. 101.

Mr. Lytton to Count d'Avila.

M. le Ministre, *Lisbon, July* 1, 1865.

I HAVE received from Her Majesty's Government, with instructions to communicate it to your Excellency, copy of an extract from a Report addressed to Earl Russell by Her Majesty's Consul at Johanna, relative to the active traffic in slaves now being carried on, in dhows, from the neighbourhood of Mozambique to the island of Madagascar.

The statements therein contained are fully confirmed by Her Majesty's Commissioners at the Cape of Good Hope, as well as by the officers in command of Her Majesty's ships employed for the suppression of the Slave Trade on the East Coast of Africa.

It is quite indisputable that the unhappy victims of this atrocious traffic, whether shipped at Mozambique or from the northwards, are almost entirely supplied from the country lying behind the Portuguese territory; and I regret to add that it is the unanimous opinion of all those officers, who, in the employ of Her Majesty's Government, have acquired experienced knowledge of the condition of things on this part of the African coast, that the activity there noticeable in the movement of the Slave Trade, must be attributed mainly to the severe commercial restrictions, or rather prohibitions, imposed by the Portuguese authorities throughout 600 miles of coast over which Portugal claims sovereignty. These restrictions, it is believed, by producing and maintaining the virtual suppression of all legitimate commerce, have now left open to the subjects of His Most Faithful Majesty, no less than to the native Chiefs along the above-mentioned line of coast, no available means of livelihood, save such as are furnished by traffic in human flesh.

Many of the native Chiefs would willingly enter into Treaty stipulations for the abolition of the Slave Trade, but, as no foreign vessels are allowed to trade with them, this illicit commerce is continued as the result of a dismal necessity.

It is in the fullest and frankest conviction that the Government of His Most Faithful Majesty, in common with that of every civilized state at the present day, and more especially as a party to the Treaty of 1842, is anxious to hasten the extinction of this

* No. 35. † Class A, No. 26.

inhuman traffic, that I have the honour to invite to the facts herein set forth, and the document herewith inclosed, the serious and candid consideration of your Excellency.

I feel persuaded that if (as there is at present reason to believe) this trade in slaves along the East Coast of Africa can be extinguished, or greatly reduced, by some modification of the commercial system, or administrative practice now maintained, where Portuguese jurisdiction prevails, the Government of His Most Faithful Majesty will willingly give to its authorities on that coast such instructions as may tend to bring about so desirable a result.

I avail, &c.
(Signed) RT. LYTTON.

No. 102.

Earl Russell to Mr. Lytton.

(Extract.) *Foreign Office, August* 14, 1865.

YOU will state to Count d'Avila that Her Majesty's Government are most desirous to maintain the most cordial relations with Portugal; that he must be aware that there is no question upon which Her Majesty's Government are more deeply interested than that of the suppression of the Slave Trade; that Her Majesty's Government are of opinion, without at all questioning the sincerity of Portugal in this question, that increased vigilance, and steady discouragement of officials indifferent or corrupt in regard to Slave Trade, would be of great service in procuring the total suppression of the traffic.

No. 103.

Earl Russell to Mr. Lytton.

Sir, *Foreign Office, September* 18, 1865.

I TRANSMIT to you, for your information, the inclosed extract of a letter addressed by Captain Bowden, of Her Majesty's ship "Wasp," to the Secretary of the Admiralty relative to the Slave Trade in the Mozambique Channel.*

I am, &c.
(Signed) RUSSELL.

No. 104.

Earl Russell to Mr. Lytton.

Sir, *Foreign Office, September* 18, 1865.

I TRANSMIT to you, for your information, a copy of a letter from Captain Paisley, of Her Majesty's ship "Highflyer,"† containing his Half-yearly Report on the Slave Trade in the Mozambique to the 30th of June last.

I am, &c.
(Signed) RUSSELL.

No. 105.

Earl Russell to Mr. Lytton.

Sir, *Foreign Office, September* 30, 1865.

I TRANSMIT to you for your information a copy of a despatch from Her Majesty's Commissioner at Loanda,‡ reporting that certain slaves belonging to the estate of the late Senhor Guilherme da Silva Correa of Ambrizette, had been granted their freedom by order of the Governor-General of Angola.

I am, &c.
(Signed) RUSSELL.

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* Class A, No. 97. † Ibid., No. 95. † Ibid., No. 42.

No. 107.

Mr. Lytton to Earl Russell.—(*Received October* 1.)

(Extract.) *Lisbon, September* 16, 1865.

I HAVE the honour to inclose herewith a copy of the note which, in obedience to the instructions contained in your Lordship's despatch dated the 14th ultimo, I addressed on the 30th of the same month to Count de Castro, expressing the sincere desire of Her Majesty's Government to maintain cordial relations with this country, and reminding his Excellency of the great and deep interest taken by Her Majesty's Government in the suppression of the Slave Trade, and recommending increased vigilance and steady discouragement of corrupt officials with regard to the Slave Trade.

The receipt of this note has been acknowledged by Count de Castro, who has referred the same to the Department for the Navy and Colonies in order to enable him to send me a reply.

Inclosure in No. 107.

Mr. Lytton to Count d'Avila.

M. le Ministre, *Lisbon, August* 30, 1865.

IN a despatch which I have just received from Her Majesty's Principal Secretary of State for Foreign Affairs, expressive of the sincere desire entertained by Her Majesty's Government that the relations maintained by Great Britain with the Crown of Portugal may be always those of unqualified cordiality, I am instructed to remind your Excellency that there is no question in which Her Majesty's Government is more deeply interested than that of the suppression of the Slave Trade. Her Majesty's Government do not at all question the sincerity of Portugal on this question, but they are of opinion that increased vigilance and steady discouragement of officials indifferent or corrupt in regard to the Slave Trade, would be of great service in procuring the total suppression of the Traffic.

I have, &c.
(Signed) RT. LYTTON.

No. 108.

Mr. Lytton to Earl Russell.—(*Received October* 1.)

My Lord, *Lisbon, September* 21, 1865.

THE tenour of the reply I am likely to receive to my note to Count de Castro, copy of which is inclosed in my despatch of September 16, may be anticipated from perusal of the statements contained in the accompanying translation of a note which I have just received from his Excellency in reply to one addressed by myself last July to Count d'Avila, copy of which was forwarded to your Lordship in my despatch of the 1st July, on the subject of some opinions expressed in a Report from the British Consul at Johanna, with reference to the Traffic in Slaves carried on between Mozambique and Madagascar.

I believe that the Portuguese Government is not otherwise than sincere in the expression of its desire to suppress this Traffic, but that it has little control over its own agents and subjects in those places where it is carried on, and where the influence of local interests is stronger and more active than that of central authority. I have heard that Mr. Andrade, the Governor of Angola, whose zeal in the suppression of the Slave Trade has been so frequently and honourably alluded to by Her Majesty's Agents, has found himself exposed to so much hostility on that account, that he has requested the Government to accept his resignation.

I have, &c.
(Signed) RT. LYTTON.

Inclosure 1 in No. 108.

Count de Castro to Mr. Lytton.

(Translation.) *Foreign Department, Lisbon, September* 11, 1865.

IN reply to the note which you addressed to my predecessor under date of the 1st of July last, inclosing an extract from a Report of the British Consul at Johanna with respect to the Traffic in Slaves said to be carried on from the neighbourhood of Mozambique to Madagascar, I have the honour to transmit to you the inclosed extract from a despatch of the Department for the Navy and Colonies, upon the subject of that note.

By that extract you will perceive that the Portuguese Government has made continual efforts to repress that odious traffic as much as possible, and it is not to be wondered at, if in spite of those efforts and of the vigilance of the Portuguese authorities, some operations of this nature should be carried on on the East Coast of Africa, so difficult to guard on account of its extent.

You will also observe that these operations on the coast of Mozambique are now chiefly effected in Arabian dhows, a great number of which belong to the States of the Sultan of Zanzibar.

With respect, however, to the opinion which you have expressed that the activity in the aforesaid traffic said to exist on that coast, must be attributed to the restrictions imposed upon lawful trade by the Portuguese authorities, it is my duty to state to you that such an opinion appears to me to be rather groundless, because from Cape Delgado to Lorenzo Marques, that is, on the part of that coast the sovereignty of which belongs to the Crown of Portugal, six of its principal ports have been opened since 1856, without any restriction to the commerce of all nations, as is mentioned in the despatch to which I refer.

I avail, &c.
(Signed) COUNT DE CASTRO.

Inclosure 2 in No. 108.

The Minister of Marine to Count de Castro.

(Translation.)
(Extract.) *August* 31, 1865.

I HAVE received your Excellency's despatch of the 5th of July last, inclosing the translation of a note from the Chargé d'Affaires of England in Lisbon, and also of an extract referred to therein, from a report of the British Consul at Johanna, respecting the Traffic in Slaves said to be carried on from the neighbourhood of Mozambique to Madagascar.

As in that note it is asserted that it is the unanimous opinion of all the officers and other persons employed by Her Britannic Majesty's Government, that the activity which is noticeable in the Traffic in Slaves on the East Coast of Africa must be ascribed to the restrictions, or rather prohibitions, imposed by the Portuguese authorities throughout an extent of 600 miles of coast, I cannot comprehend upon what grounds such an opinion is based, inasmuch as it is certain that, from Cape Delgado to Lorenzo Marques—that is, on that part of the coast which belongs *de jure* and *de facto* to the Sovereignty of Portugal—there are five Custom Houses: at Ibo, Mozambique, Quilimane, Inhambane, and at Lorenzo Marques (besides the one which was lately ordered to be established at the port of Angoche by a Decree of the 5th of July last), at which Custom Houses the ships of all nations are admitted without any restriction whatsoever, and where British, French, and American produce and manufactures pay the same duties as Portuguese produce and manufactures, inasmuch as those manufactures and produce belong to nations between whom and Portugal there are special Treaties in existence, which is a well-known fact, and has been the practice ever since 1856, the date when those ports were opened to the commerce of the whole world.

Hence your Excellency will perceive, as well as I do, that the opinion to which the Chargé d'Affaires above named refers is groundless, an opinion which he himself appears to adopt by supposing that the restrictions imposed by the Portuguese authorities upon lawful trade have not left open either to Portuguese subjects or to the native Chiefs, on the above-mentioned line of coast, any available means of livelihood saving those furnished by the Slave Trade.

Thus it remains proved that the Portuguese Government has facilitated and not restricted lawful trade in those six ports opened to commerce; and your Excellency is

well aware that at other points of the coast where there is no Custom House, trade cannot be allowed, and if it could, it would happen that such ample liberty, instead of tending to restrict the Slave Trade, would facilitate and develop it to an amazing extent.

I cannot now abstain from remarking, for your Excellency's information, that whereas it would appear from the perusal of the note of the Chargé d'Affaires that England carries on a very active trade with the Portuguese East Coast of Africa, it is nevertheless certain that she is the nation who has sent the smallest number of ships to the place. Since 1858 one brig alone has proceeded to the port of Mozambique for the purpose of trading; two sloops went to Lorenzo Marques (where both tried to evade the payment of the Custom House duties), and there was another ship that also went there laden with coal; and it does not appear that any other British merchantman has arrived at those ports, while, at the same time, several French, Hamburguese, American, Portuguese, and Arabian vessels have gone to Mozambique, Quilimane, and to Ibo since that year for the purpose of trading.

With respect to the Treaties for the abolition of the Traffic in Slaves, into which, as is stated by the Chargé d'Affaires, the native Chiefs on the coast would be willing to enter, I ask, what guarantee would there be for Treaties made with Chiefs without faith and without law? They would be evaded as soon as a slaver were to appear to those Chiefs, whose natural tendency is in favour of the Slave Trade (by far the most lucrative), and whose system is to carry ivory, wax, and several other articles to the Portuguese establishments, and to reserve their slaves for their dealings with the Arabian dhows, or for European slavers which resort to those ports on the coast where no Portuguese authorities are to be found.

It is well known that at present the Slave Trade on the coast of Mozambique is chiefly carried on in Arabian dhows, the greater part of which belong to the States of the Sultan of Zanzibar; and, according to the reports which I have lately received from the Governor-General of the Province of Mozambique, in his despatch of the 6th of April of this year, a good many of these dhows make use of the French flag when pursued.

The Portuguese Government has made continual efforts, as your Excellency is well aware, to repress the Slave Trade as much as possible, and for this purpose it has kept two steamers at Mozambique, the "Maria Anna" and "Baron de Lazarim," which destroyed a short time ago several dhows engaged in the Slave Trade in the ports of Velhaco and in that of Mocambo, and captured another on the high seas; and it is not to be wondered at, if, in spite of those efforts and of the vigilance of the Portuguese authorities, some traffic should be carried on on a coast so extensive and so difficult to guard; but it is also possible that there may be exaggeration in the accounts received by Her Britannic Majesty's Government respecting the increase of the Slave Trade, because it has already been proved by this Department that in the three years, from 1861 to 1863, only two cases of slave prizes had been submitted to the Mixed Commission Court at the Cape of Good Hope, and that one of those vessels which were captured had been adjudged to be a bad prize.

No. 109.

Mr. Lytton to Earl Russell.—(*Received October* 23.)

(Extract.) *Lisbon, October* 5, 1865.

WITH reference to Sir A. Magenis's despatch of April 26, 1865, inclosing copy of the reply of the Duke de Loulé to the representations made by Sir Arthur to his Excellency on the subject of the export of slaves in the character of libertos to the Island of St. Thomas, with the connivance of the Portuguese authorities, I have now the honour to transmit herewith a despatch of August 17, 1865, addressed to your Lordship by Mr. Consul Vredenburg,* which I have received under flying seal from Loanda.

No. 110.

Mr. Lytton to Earl Russell.—(*Received October* 23.)

My Lord, *Lisbon, October* 10, 1865.

WITH reference to Sir A. Magenis's despatch of May 23rd, I have the honour to transmit herewith to your Lordship a further note dated the 23rd ultimo, which I have received from Count de Castro, stating that the inquiry into the conduct of Mr. Gamitto, ex-Governor of Benguella, with respect to the Slave Trade, was still going on; and that although the information received by the Governor-General of Angola upon this subject

* Class A, No. 45.

did not constitute a clear proof against Mr. Gamitto, it would nevertheless be taken into consideration in the course of that inquiry.

I have, &c.
(Signed) RT. LYTTON.

Inclosure in No. 110.

Count de Castro to Mr. Lytton.

(Translation.) *Foreign Department, Lisbon, September* 23, 1865.

IN addition to the note addressed by my predecessor on the 13th of May last to Sir Arthur C. Magenis, wherein he informed him that the necessary orders had been sent to Loanda in order that an inquiry might be made there into the charges brought against the ex-Governor of Benguella, Mr. Antonio Candido Pedroza Gamito, I have the honour to state to you that according to a communication made to me by the Minister of Marine in a despatch dated the 21st instant, the Governor-General of the Province of Angola had endeavoured to obtain from the proper authorities the full details respecting the facts to which those charges have reference, and that, although the answers which he had received from those authorities do not constitute a clear and evident proof, nevertheless he had caused the same to be annexed to the records of the inquiry which he had ordered to be instituted into the conduct of that ex-Governor, in order that they might be taken into due consideration in the course of that inquiry.

I renew, &c.
(Signed) COUNT DE CASTRO.

No. 111.

The Earl of Clarendon to Sir A. Magenis.

Sir, *Foreign Office, November* 25, 1865.

I TRANSMIT to you herewith for your information an extract of a despatch from Her Majesty's Commissioners at the Cape of Good Hope*, relative to the export of slaves from the Portuguese possessions on the East Coast of Africa.

In calling the attention of the Portuguese Government to this matter, you will point out to them that it is useless to appoint officers who are anxious to carry out the engagements of the Portuguese Crown for the suppression of the Slave Trade, unless the Portuguese Government afford them the means of fulfilling their duties, and you will at the same time express the hope of Her Majesty's Government that the Government of His Most Faithful Majesty will place the necessary force at the disposal of the Governor-General of Mozambique to enable him to put a stop to the exportation of slaves from the Portuguese territories.

I am, &c.
(Signed) CLARENDON.

No. 112.

Sir A. Magenis to the Earl of Clarendon.—(Received December 2.)

(Extract.) *Lisbon, November* 22, 1865.

ON the 17th instant the Marquis Sá da Bandeira introduced a Bill into the Chamber of Peers for the immediate abolition of slavery in all the Portuguese dominions.

No. 113.

The Earl of Clarendon to Sir A. Magenis.

Sir, *Foreign Office, December* 7, 1865.

I TRANSMIT herewith for your information a copy of a despatch from Her Majesty's Commissioner at Loanda,† reporting the departure from thence on his return to Portugal of Senhor José Baptista d'Andrade, the Governor General of Angola, and containing some observations bearing favourable testimony to the character of that officer.

I am, &c.
(Signed) CLARENDON.

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* Class A, No. 31. † Ibid., No. 48.

No. 114.

The Earl of Clarendon to Sir A. Magenis.

Sir, *Foreign Office, December* 14, 1865.

I TRANSMIT to you herewith for your information a copy of the Annual Report on the Slave Trade which I have received from Her Majesty's Commissioner at Loanda.

I have to call your particular attention to that part of it which relates to the trade in "libertos" carried on between the Province of Angola and the Island of San Thomé.

Mr. Vredenburg, you will see, reports that this trade has now assumed such formidable proportions, that no vessel leaves Loanda without conveying ten of them, and that the business is not confined to the mercantile class and owners of vessels trading to the Island of San Thomé, but that ships have been purchased for the Traffic by persons in no way connected with trade, and are used specifically for the purpose of carrying negroes to San Thomé.

In a despatch dated the 17th August last which reached Mr. Lytton under flying seal, and of which I now inclose a copy in case one should not have been kept in the archives of the Legation, Mr. Vredenburg enters so fully into the particulars of this Traffic that it will be unnecessary for me now to go further into details on the subject.

There can be no doubt of the fact that slaves in considerable numbers are purchased in the Province of Angola, furnished with papers purporting to constitute them free men, and then, without their wishes being in any way consulted, are shipped off to the Island of San Thomé, where for ought Her Majesty's Government know, they may, and in some cases undoubtedly are, consigned again to slavery or to a condition very little inferior.

I have to instruct you to make these facts known to the Government of Her Most Faithful Majesty, and in doing so you will state that Her Majesty's Government feel convinced that the Portuguese Government on being made acquainted with them by you, will concur in considering them to be opposed to the spirit no less than to the letter of the Treaty of 1842, and will not be surprised to hear that unless the practice is put a stop to, Her Majesty's Government will consider it to be their duty to give the negroes so transported an opportunity of stating before a Mixed Commission, whether they are or are not emigrating of their own free will.

Her Majesty's Government would much prefer to learn that the Portuguese authorities on the coast had taken the matter into their own hands, and you will therefore suggest to the Portuguese Government the propriety of sending those authorities instructions to that effect.

I am, &c.
(Signed) CLARENDON.

PRUSSIA.

No. 115.

Lord Napier to Earl Russell.—(Received January 10.)

My Lord, *Berlin, January 6, 1865.*

I HAVE the honour to transmit to your Lordship herewith a translation of a note which I have received from the Under-Secretary of State for Foreign Affairs, stating that the proposal of Her Majesty's Government to declare the Slave Trade piracy, and to subject parties guilty of it to the penalties attached to that crime, is a proposal which requires a close examination on the part of the competent authority in Prussia.

I have, &c.
(Signed) NAPIER.

Inclosure in No. 115.

M. de Thile to Lord Napier.

(Translation.) *Berlin, January 4, 1865.*

THE Undersigned has the honour most respectfully to inform his Excellency Lord Napier, &c., that he, on receipt of the copy of Lord Russell's despatch of the 7th ultimo, made it his duty to bring the desire of the British Government to institute more strenuous regulations against the crime of slave-trading to the notice of the proper Department of the Royal Ministry. In considering the question as to how far the proposal of the British Government on this subject will harmonise with the existing laws in this country, a closer examination is necessary, and it will be the duty of the Undersigned, on the conclusion of the preliminary discussion, to inform his Excellency Lord Napier of the result thereof.

(For the Minister for Foreign Affairs),
(Signed) THILE.

No. 116.

Lord Napier to Earl Russell.—(Received March 6.)

My Lord, *Berlin, March 1, 1865.*

I HAVE the honour to transmit to your Lordship herewith a copy of a note which I have received from the Prussian Minister of Foreign Affairs relative to the proposal of Her Majesty's Government to declare the Slave Trade piracy, and subject to the penalties of piracy by a general international engagement. The Prussian Government express their sympathy with the motives which have prompted the overture of Her Majesty's Government, and their readiness to introduce a measure in the Prussian Chambers conformable to the views of Her Majesty's Government; but they desire, before doing so, to obtain some further information which your Lordship will no doubt be enabled to supply.

I have, &c.
(Signed) NAPIER.

Inclosure in No. 116.

M. de Bismarck to Lord Napier.

Berlin, ce 27 Février, 1865.

LE Soussigné, se référant à la communication préalable qu'il a eu l'honneur d'adresser à son Excellence M. l'Ambassadeur d'Angleterre le 4 de ce mois relativement à la proposition du Gouvernement de Sa Majesté Britannique de chercher à réprimer par des mesures efficaces la Traite des Esclaves, a l'honneur d'informer Lord Napier du résultat de l'examen auquel les Ministres du Roi ont soumis cette matière au point de vue de la législation en vigueur en Prusse.

Les lois Prussiennes contiennent deux dispositions relatives au genre de délit en question.

En premier lieu, l'Ordonnance du 8 Juillet, 1844, rendue par suite du Traité du 20 Décembre, 1841, et actuellement en vigueur, frappe d'une peine la Traite des Noirs.

En outre, le Code Criminel du 14 Avril, 1851, section 204, prononce que quiconque enlève, par ruse ou par la force, une créature humaine, pour la réduire en esclavage ou en servage, sera puni de cinq à vingt ans de travaux forcés.

Le Gouvernement du Roi reconnaît cependant que ces dispositions ne suffisent pas entièrement pour atteindre le but que le Gouvernement de Sa Majesté Britannique se propose, et il n'a en principe aucune objection à faire aux mesures pour lesquelles son Excellence Lord Napier a été chargé de réclamer son concours. Les lois Prussiennes ne font à la vérité pas mention de la piraterie comme d'une espèce particulière de crime ; mais le Gouvernement du Roi prendrait à tâche, après la conclusion de la Convention Internationale proposée, d'introduire dans la législation les modifications conformes aux principes à adopter. Cependant avant de prononcer la pleine adhésion aux propositions du Gouvernement de Sa Majesté Britannique, le Gouvernement du Roi désirerait apprendre si des faits positifs permettent de considérer les dispositions de la Convention du 20 Décembre, 1841, comme insuffisantes, et en particulier si, et dans quels cas, d'autres individus que ceux de la race noire ont été dans ces derniers temps l'objet d'un trafic illicite.

Le Soussigné présumant que les faits qui seraient de nature à éclairer le Gouvernement du Roi sur cette question, et à lui servir de motif pour un acte de législation, se trouveront à la portée du Gouvernement de Sa Majesté Britannique, espère que son Excellence Lord Napier voudra bien, par son obligeante entremise, en donner connaissance au Gouvernement du Roi, &c.

(Signé) BISMARCK.

No. 117.

Earl Russell to Lord Napier.

My Lord, *Foreign Office, March* 22, 1865.

I HAVE received your Excellency's despatch of the 1st instant, inclosing a copy of a note from M. de Bismarck, stating that the Prussian Government have no objection in principle to the proposal of Her Majesty's Government for declaring the Slave Trade piracy, and expressing their readiness to introduce into the Prussian Chambers a project of law for giving effect to the views of Her Majesty's Government in this matter.

Before, however, pronouncing their full assent to the proposals of Her Majesty's Government, M. de Bismarck is desirous of obtaining further information on this subject, and more particularly as to whether facts have proved that the provisions of the Convention of December 20, 1841, are insufficient to meet the object for which the Convention was framed, and also in what cases individuals other than those of the black race have of late been the object of illicit traffic.

In reply to this last inquiry, I have to instruct your Excellency to acquaint M. de Bismarck that, beyond some attempts which were made a few years since by citizens of some of the South American States to kidnap natives of the South Sea Islands, with the view to sell them to be employed as labourers on the Chincha Islands, Her Majesty's Government are not aware that any attempts have been made to reduce to forced servitude any persons but natives of Africa.

With regard to the desire of the Prussian Government to be informed whether facts have proved the Convention of 1841 to be insufficient for the purposes for which it was framed, I have to instruct your Excellency to inform M. de Bismarck that it is the success of this Treaty and of similar engagements contracted by Her Majesty's Government with

other countries for the suppression of the Slave Trade that now renders further legislation necessary.

Formerly the Slave Trade was carried on almost with impunity, and the flag of any nation was used according as it suited the purposes of the parties engaged in the Traffic.

The conclusion of Slave Trade repression Treaties by this country with foreign Governments, owing to the facilities afforded by the provisions of these Treaties for the condemnation of slave-vessels, and for the punishment of their crews, has, however, effectually put a stop to the state of things that formerly existed; and now a vessel is rarely captured under the colours of any nation that has entered into a Treaty with Great Britain for the suppression of the Slave Trade.

But the Trade in Slaves has been too profitable a speculation to be abandoned altogether by the unprincipled men engaged in it, and accordingly slave-dealers now carry on their nefarious traffic almost entirely in vessels which, when captured, are found destitute of any colours or papers to denote their nationality.

The result is that, although the vessels are captured and condemned under the provisions of an Act of Parliament which empowers Her Majesty's Government to deal with vessels carrying on the Slave Trade without colours or papers to denote their nationality, yet the masters and crews of these vessels escape punishment altogether, in consequence of their not being in existence any tribunal competent to deal with persons captured in this category, and not being British subjects.

It was to remedy this state of things that Her Majesty's Government proposed to foreign Governments to declare the Slave Trade piracy, with the view to empower tribunals that may be competent to take cognizance of that crime to deal also with the crime of slave-trading.

Christian Governments have all agreed in denouncing the African Slave Trade, and have passed laws for the punishment of such of their subjects or citizens as may engage in the traffic. The question now to be dealt with is, are the laws passed on this subject to remain inoperative because individuals add to the violence of slave-trading the fraud of engaging in that Traffic in vessels divested of any national character?

The Slave Trade is now reduced, comparatively speaking, to very small dimensions, and many of the persons engaged in it are well known, some of them having been captured by British cruizers five or six times.

Her Majesty's Government rejoice that the Government of Prussia concur with them in agreeing that the stipulations at present in force are not sufficient for putting a stop to the crime of slave-trading; and past experience gives Her Majesty's Government every reason to hope that, if foreign Governments will concur in declaring the Slave Trade piracy, and will make arrangements for securing the punishment of such of their subjects or citizens who may be captured on board vessels engaged in the Slave Trade, a final blow will be given to the African Slave Traffic, and one of the greatest crimes of the present age will shortly cease to exist.

Your Excellency will state to M. de Bismarck that slave-trading is piracy by British law, and that the effect of this is that no British subject is ever found on board a slave-ship.

I am, &c.
(Signed) RUSSELL.

No. 118.

Lord Napier to Earl Russell.—(*Received April* 3.)

My Lord, *Berlin, March* 27, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22nd instant, stating the grounds on which Her Majesty's Government have deemed it right to invite foreign Governments to declare Slave Trade to be piracy, and to subject their respective subjects found guilty of participating in that Traffic to the penalties attached to the crime of piracy.

In conformity with your Lordship's direction I have addressed a letter to M. de Bismarck in the terms of your Lordship's instruction.

I have, &c.
(Signed) NAPIER.

RUSSIA.

No. 119.

Sir A. Buchanan to Earl Russell.—(Received May 1.)

My Lord, *St. Petersburgh, April* 22, 1865.

WITH reference to your Lordship's despatch of the 7th December last, Prince Gortchakoff has read to me a Report which he has received from the Minister of Justice on the proposal of Her Majesty's Government that a general declaration should be made that the Governments who are parties to it denounce the Slave Trade as piracy, and secondly, that the penalties of piracy existing in the laws of the said Governments, if short of death, should be made applicable to all persons subjects or citizens of one of the Contracting Powers who shall be convicted in a Court which takes cognizance of piracy of being engaged in slave-trading.

The Minister of Justice begins his Report by quotations from answers which appear to have been given to the proposal of Her Majesty's Government by the Governments of Austria and France, and while he does not adopt precisely the views of either of these Governments, he expresses an opinion unfavourable to any international engagement being entered into by Russia with respect to the piratical character of the Slave Trade, and discourages the adoption of the proposal of Her Majesty's Government until further explanation can be obtained as to the manner in which Her Majesty's Government intend that it should be carried out in practice, and as to how far it is intended that our Government should exercise criminal jurisdiction for an offence committed on the high seas over the subjects of another.

The Minister of Justice points out, however, that the laws of Russia have already assimilated slave-trading to piracy, and rendered Russian subjects guilty of the former offence amenable to the same punishments as those who may be guilty of piracy.

Prince Gortchakoff, after reading this Report, said that his answer to your Lordship's despatch would be founded upon it, with perhaps some slight modifications of the opinions expressed in it, and that at all events before the Russian Government could adopt the proposal of Her Majesty's Government the question of criminal jurisdiction on the part of one Government over the subjects of another would require to be explained.

I said that I had no further instructions from your Lordship on the subject than those contained in the despatch which I had communicated to him, but that I presumed the personal impunity enjoyed by persons navigating the vessels captured by Her Majesty's cruizers with cargoes of slaves on board had convinced Her Majesty's Government of the impossibility of entirely preventing the crime while there was no means of punishing the criminals; and I explained to his Excellency how the masters and the crews of vessels captured with slaves on board are now generally set free by their captors, and are able almost immediately afterwards to return to their nefarious pursuits.

I have, &c.

(Signed) ANDREW BUCHANAN.

No. 120.

Sir A. Buchanan to the Earl of Clarendon.—(Received November 13.)

My Lord, *St. Petersburgh, November* 8, 1865.

I HAVE reason to believe that an Imperial Manifesto will be promulgated at Kutais on the $\frac{8}{20}$th instant, the fête day of the Emperor's Lieutenant, His Imperial Highness the Grand Duke Michael Nicolaewitch, granting freedom to the slave population of the trans-Caucasian Provinces.

I have, &c.

(Signed) ANDREW BUCHANAN.

SPAIN.

No. 121.

Earl Russell to Sir J. Crampton.

(Extract.) *Foreign Office, January 5, 1865.*

I HAVE to instruct you to request an interview with Marshal Narvaez, in order to speak to him again on the subject of the Slave Trade.

You will represent to his Excellency that the honour of Spain must suffer from the continued connivance of Spanish authorities at the violation of a solemn Treaty concluded with England in the year 1835. You will point out to him, that by the operation of a British Act of Parliament, and the consequent vigilance and activity of the Brazilian Government, Slave Trade has for the last ten years been unknown on the Coast of Brazil. That, unhappily, it is not unknown on the Coast of Cuba, but that it is impossible to believe that the Spanish Government cannot do that which the Brazilian Government has been able to do with ease and complete effect.

That by my despatch of the 7th ultimo, I have asked the Spanish Government to concur in submitting Spanish subjects captured in slave-trading ships to the jurisdiction of British Courts, British subjects similarly captured being similarly subjected to the jurisdiction of the Spanish Courts, and that in both cases the offenders should be liable to the penalties attached to piracy. I have made a similar proposal to other Governments in Europe and America.

You will point out to Marshal Narvaez the mischief of letting loose miscreants, quite unworthy of the protection of the Crown of Spain, who, after being taken in one slave-vessel, are liberated, and forthwith enlist in the same service in some other ship, bound on a similar unchristian and inhuman errand, and you will urge upon the Marshal, so well known for his chivalrous sentiments and lofty character, the duty which devolves upon him of effacing a stain from the escutcheon of Spain, and of rendering a brilliant service to the cause of African freedom.

No. 122.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, January 5, 1865.*

I TRANSMIT to you, for your information, a copy of a despatch from Her Majesty's Judge in the Mixed Commission Court at Havana,* reporting a conversation which he held with General Dulce on the subject of the Slave Trade.

I am, &c.
(Signed) RUSSELL.

No. 123.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, January 6, 1865.*

I TRANSMIT to you herewith, lists of Her Majesty's ships furnished with warrants for the suppression of the Slave Trade, specifying the number of their guns, the names and ranks of their commanding officers, and the stations on which they are employed; and

* Class A, No. 9.

I have to desire that, in conformity with the stipulations contained in the second paragraph of Article V of the Treaty between this country and Spain for the suppression of the Slave Trade, you will communicate copies of these lists to the Spanish Government.

I am, &c.

(Signed) RUSSELL.

Inclosure in No. 123.

Lists of Her Majesty's Cruizers employed in Suppression of Slave Trade.

North America and West Indies.

Names of Ships.	Names of Commanding Officers.	Ranks.	No. of Guns.
Duncan (flag ship)	R. Gibson	Captain	81
Shannon	O. J. Jones	Ditto	35
Phaeton	G. Le G. Bowyear	Ditto	35
Galatea	R. Maguire	Ditto	26
Pylades	A. W. A. Hood	Ditto	21
Wolverine	A. F. R. De Horsey	Ditto	21
Bulldog	C. Wake	Ditto	6
Buzzard	T. H. M. Martin	Commander	6
Styx	W. B. Urmston	Ditto	6
Virago	C. F. Palmer	Ditto	6
Medea	D'A. S. Preston	Ditto	6
Fawn	C. J. Wrey	Ditto	17
Peterel	E. Madden	Ditto	11
Rosario	L. H. Verstarme	Ditto	11
Royalist	E. J. Pollard	Ditto	11
Cordelia	J. B. Scott	Ditto	11
Lily	A. C. F. Heneage	Ditto	4
Cygnet	W. S. de Kantzow	Ditto	5
Steady	Hon. W. C. Talbot	Ditto	5
Plover	Hon. A. L. Corry	Ditto	5
Nimble	F. W. Hallowes	Lieutenant	5
Aboukir	P. Cracroft	Commodore	86

West Coast of Africa Station.

Names of Ships.	Names of Commanding Officers.	Ranks.	No. of Guns.
Rattlesnake (flag ship)	A. P. E. Wilmot	Commodore	19
Archer	F. Marten	Captain	13
Zebra	C. G. Lindsay	Commander	17
Dart	F. W. Richards	Ditto	5
Mullet	C. H. Simpson	Ditto	5
Pandora	W. F. Ruxton	Ditto	5
Sparrow	L. F. Jones	Ditto	5
Jaseur	W. J. H. Grubbe	Ditto	5
Snipe	A. H. W. Battiscombe	Ditto	5
Speedwell	G. F. Cottam	Ditto	5
Ranger	W. E. Gordon	Ditto	5
Espoir	M. S. L. Peile	Ditto	5
Rattlesnake for Lee (tender)	A. P. E. Wilmot	Commodore	5
Antelope	C. O'D. Allingham	Lieutenant	5
Wye (no foreign warrants)	V. G. Roberts	Staff Commander	2
Investigator for Handy (tender)	C. G. F. Knowles	Lieutenant	2
Investigator	Ditto	Ditto	2

Brazil Station.

Names of Ships.	Names of Commanding Officers.	Ranks.	No. of Guns.
Bombay (flag ship)	Colin A. Campbell	Captain	60
Satellite	S. S. L. Crofton	Ditto	21
Stromboli	Alexr. Philips	Commander	6
Sharpshooter	H. A. Clavering	Lieutenant	6
Triton	R. H. Napier	Ditto	3
Doterel	Wm. F. Johnson	Ditto	2
Sheldrake	John Nott	Ditto	2
Spider	E. A. T. Stubbs	Ditto	2

East Indian and Cape of Good Hope Station.

Names of Ships.	Names of Commanding Officers.	Ranks.	No of Guns.
Princess Royal (flag ship) ..	W. Gore Jones	Captain	73
Valorous	C. C. Forsyth	Ditto	16
Wasp	Wm. Bowden	Ditto	13
Rapid	C. T. Jago .. .	Commander ..	11
Pantaloon	F. R. Purvis	Ditto	11
Lyra	R. A. Parr	Ditto	7
Vigilant	Wm. R. Hobson	Ditto	4
Princess Royal for Penguin (tender). No foreign warrants supplied	W. G. Jones	Captain	5

Admiralty, January 2, 1865.

No. 124.

Sir J. Crampton to Earl Russell.—(Received January 10.)

My Lord, *Madrid, January* 5, 1865.

I HAVE the honour to inclose herewith, copy of a note which I have received from the Spanish Minister for Foreign Affairs respecting the notorious slaver "*Ciceron*" which left Cadiz on the 24th of October last bound for Matamoros.

Señor Benavides states that the most scrupulous examination of that vessel by the authorities, afforded no proof that she was intended for the Slave Trade.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 124.

Señor Benavides to Sir J. Crampton.

(Translation.)

Sir, *Palace, January* 2, 1865.

IN addition to what I had the honour to announce to you in my note of the 27th of September last, I have to state that the Minister of Marine informs me, under date of November last, that application having been made to the maritime authorities at Cadiz, it appears from their statement that the merchant-steamer "*Ciceron*" started for Matamoros on the 24th of last October, all the necessary preventive measures as regards her captain having been previously taken.

After a careful examination on board in the presence of competent persons, it does not appear, in the opinion of the said authorities, that any proof exists of that vessel's intention of sailing for the coast of Africa, since neither according to her papers, nor according to the number of her crew, can it be inferred that it was the intention of her owners to dedicate her to the Slave Trade.

I avail, &c.
(Signed) A. BENAVIDES.

No. 125.

Sir J. Crampton to Earl Russell.—(Received January 24.)

(Extract.) *Madrid, January* 20, 1865.

IN obedience to the instructions contained in your Lordship's despatch of the 5th instant, I obtained an interview with Marshal Narvaez for the purpose of making him acquainted with the sentiments of Her Majesty's Government in relation to the Slave Trade to Cuba, and their views as to the best means of putting an end to it.

Having presented myself at the time appointed, I found Señor Benavides, the Minister for Foreign Affairs, about to take leave of Marshal Narvaez, and I requested his Excellency, if at leisure, to wait in order that I might communicate to him at the same time as to the Marshal, what I had been charged by Her Majesty's Government to say in regard to this matter.

I remarked, in the first place, that the duty of renewing the representations of Her

Majesty's Government on this subject was one which, from the continuance of the Slave Trade in Cuba, I regretted to say always devolved upon me after any change in the Spanish Administration. Her Majesty's Government felt assured, however, that in addressing themselves to Marshal Narvaez, they would be met with honourable frankness on his part, and that whatever measures might be agreed upon with him, as calculated to effect the object in view, would be carried into execution with vigour.

I observed that it was satisfactory to me to be able to preface my observations by referring to the annual Reports of the Slave Trade in Cuba lately received by Her Majesty's Government, in which a steady decrease in the number of negroes imported into that Colony was observable. This appeared to me to prove two things. First, that the authorities had acted with greater vigour than formerly; and, secondly, that the total extinction of the Slave Trade in Cuba was not an object so unattainable as it had often been alleged to be, in consequence of peculiar circumstances out of the control of the Spanish Government.

It was clear that the decrease of this Traffic had taken place in due proportion to the active and judicious application of the means at the disposal of the Spanish authorities for its suppression. But if any argument were needed to prove the possibility of arriving at such a result, it would be found in the entire success of the Government of Brazil in extirpating this infamous Traffic. It could not be set down, nor would Marshal Narvaez admit that the organization of the Spanish executive was defective as compared with that of Brazil. There remained, therefore, but one supposition under which the continued subsistence of the Slave Trade with Cuba could be accounted for, namely, that through some defect in that part of the legislation of Spain which was applicable to the offence, those who continued to carry on and profit by this iniquity were enabled to evade the spirit and intention of the law, and to defeat to a great extent the well-intended efforts of the authorities.

A consideration of this striking contrast between Spain and Brazil forced upon Her Majesty's Government an examination of what were the points in regard to which the legislation of those two countries differed in this respect.

The points of difference which at once presented themselves were these: first, that the Government of Brazil had made the crime of slave-trading equivalent to that of piracy, which the Government of Spain had not done; secondly, that the Brazilian Government had adopted more efficient means for the discovery and punishment of offenders who had so far succeeded as to have actually landed slaves and introduced them into the interior of the country, while the laws in force in Cuba rendered such discovery and punishment impossible.

These were the measures which on more than one previous occasion I had brought under the notice of Her Catholic Majesty's Government, and in one instance, in concurrence with a similar step with my colleague the Minister of the United States, pressed upon their adoption. These were the measures which I was again instructed to recommend, and in regard to one of which, namely, the legal assimilation of Slave Trade to piracy, I had now a further proposal to make on the part of Her Majesty's Government.

It was to the following effect: that Her Catholic Majesty's Government should, in accordance with Her Majesty's Government, and other Governments in Europe and America to whom Her Majesty's Government have addressed the same proposal, first, make a general declaration that the Governments which are parties to it denounce the Slave Trade as piracy; secondly, that the aforesaid Governments should propose to their Legislatures to affix the penalties of piracy already existing in their laws, provided that in this case the penalty be short of death, to all persons being subjects or citizens of one of the Contracting Parties who shall be convicted, in a Court which takes cognizance of piracy, of being concerned in carrying human beings across the sea to be sold or used as slaves in any part of the world.

In addition to the many obvious advantages arising from such a general determination, I would advert to one which had been lately pointed out more particularly to Her Majesty's Government as likely to be attained by it. When a vessel is captured and condemned in a proper Court for slave-trading, the crew, if not subjects of the capturing Power, and in the absence of any international provision to the contrary, are liberated, and usually landed on some convenient spot on the coast for the purpose of getting rid of them, there being no legal Power by which they could be delivered up to the Governments of their respective countries. The consequence is that they almost always enlist themselves immediately in some fresh slave-trading adventure. This evil would be averted by the agreement to which I referred.

I then called Marshal Narvaez' attention to the ill effects upon the friendly feelings which ought to subsist between the two countries which were produced, and must ever be

produced, so long as the provisions of a solemn Treaty remained unexecuted by Spain. The subject of the Treaty in question was, besides, one of no common interest to Great Britain, and one in regard to which the attention neither of the public nor of statesmen and politicians of any party was likely to flag. On the contrary, the greatest names in England for the last seventy years were inseparably bound up with the unremitting effort to remedy an evil which must ever have appeared to minds capable of estimating the obligations of justice and humanity to be the most cruel abuse of weakness by force which had at any time prevailed in the world, and which was now more than ever regarded as a disgraceful blot upon civilization.

Marshal Narvaez and Señor Benavides listened with friendly attention to these arguments, and to others of the same nature which I urged in support of the views of Her Majesty's Government, and the Marshal at length said that I might safely assure your Lordship, from him, that Her Catholic Majesty's Government felt the most sincere desire to effect the entire extinction of a Traffic which was not less abhorrent to the feelings of the Queen of Spain and her Government than to the Sovereign and Ministers of Great Britain. His Excellency added that the Spanish Government not only entertained this desire, but also were firm in the determination of continuing to use their best efforts to efface every vestige of the Slave Trade. It must be admitted, however, his Excellency remarked, that the endeavours of the Spanish authorities to do this had already been attended with considerable success, and when the difficulties of the task were taken into account, he would say with very remarkable success; and he had no doubt that by a persevering application of the same remedies an entire cure of the evil would be ultimately effected.

These general assurances by Marshal Narvaez, and the tone in which they were made, were so far satisfactory; but when we came to discuss separately the arguments which I had presented, and the particular measures which I had urged, I regretted to perceive that His Excellency differed with me considerably in regard to their justice or practical applicability.

In the first place Marshal Narvaez entirely repelled the charge of a culpable neglect by Spain in the fulfilment of a Treaty obligation. Every effort had, he affirmed, been made, and would be made by the Spanish Government to effect the object which both the Governments had at heart, and if this had not yet been completely attained, he could not accept the inference that there had been a violation of a Treaty by Her Catholic Majesty's Government. The difficulties of the task were great, and Her Majesty's Government ought to recollect that at a time when prohibitive duties existed in England against the importation of certain articles, such as brandy for instance, yielding great profits to the successful smuggler, how impossible it had been found even by the well-organized Custom-house service of Great Britain, and within the compact and well-guarded British coast, to prevent the illicit trade. Nothing but an abrogation of the duties remedied this state of things. The Slave Trade was of the same nature as regarded the exorbitancy of its gains, and the consequent difficulties of its repression, but the same remedy was not applicable to it.

As regarded the unfavourable comparison I had instituted between the success of Brazil and Spain in suppressing the Slave Trade, neither could he accept it as being justly applied. The circumstances were widely different, and the difficulties which the Spanish Government had to contend against were much greater than those which the Brazilian Government had overcome.

His Excellency did not enlarge upon this topic, or state in regard to what points he considered this difference to exist. That there really is a considerable difference in the circumstances of the Brazilian Empire and the Spanish Colony of Cuba, I would not perhaps be disposed to contest, but I apprehend that it is of a nature which his Excellency would scarcely be ready to admit, or like to dwell upon. The difference would in fact be found not so much to depend upon the greater or less degree of energy in the exertions of the authorities of the two countries, as in the nature and spirit of the colonial system of Spain and its reaction on the Government of the mother country. The Brazilian Government were enabled to deal a decisive blow against the Slave Trade by sending out of the Empire a certain number of foreigners who were the chief instruments in conveying supplies of negroes to their planters; but the heart of the Slave Trade interest of Cuba is in Spain itself, where it finds the means of exercising its influence in the Legislature and in the principal seats of authority.

To the proposal of Her Majesty's Government to constitute Slave Trade piracy, his Excellency seemed to entertain some objection. He said he thought that few, if any of the Governments to which the British Government had made this proposal would be disposed to adopt it, and that as to Spain it would require a change of legislation which

could not be made without the concurrence of the Cortes. I replied that Her Majesty's Government did not expect that this measure, any more than the other changes in the Spanish law which they had recommended, could be adopted otherwise than by a decision of the Legislature; but they could not believe that if brought by his Excellency's Government under the consideration of the Cortes as necessary or conducive to the complete execution of a Treaty, and to the extinction of a deplorable practice, they would be rejected by that body. With respect to the probability of the adoption by other Powers of making Slave Trade piracy, I called his Excellency's attention to the fact that it was already so considered by Brazil and by the United States, and that capital punishment had been actually inflicted at New York on the master of a slaving vessel.

Señor Benavides here observed that he admitted that rendering Slave Trade piracy was, in fact, the real point at issue in regard to its extinction; but he felt great doubts whether the measure could be effected in Spain. He thought, too, that death was too severe a punishment for the offence. I reminded his Excellency, however, that Her Majesty's Government had made it a condition of their proposal that the penalty should be short of death.

With regard to the changes in the laws in force in Cuba required for the more effectual suppression of the Slave Trade, Marshal Narvaez observed that the substitution of an arbitrary system for a legal one would be properly objected to, and he did not suppose that this would be recommended by Her Majesty's Government. I replied by pointing out to his Excellency that the removal of a defect in a law by which the intention of the legislator was obviously defeated could not be considered as rendering its operations more arbitrary, but would have rather the contrary tendency. What Her Majesty's Government suggested was in no wise the substitution of an arbitrary for a legal system, and I entreated his Excellency to take into consideration not only the opinion of the present Captain-General of Cuba, but that of many of General Dulce's predecessors who were now in Spain, and were members of the Cortes. If I was not very much mistaken, every one of these experienced officers would agree in acknowledging the defects of the laws to which I had alluded, and in pointing out the necessary remedies. Marshal Narvaez contented himself by remarking on this head that it was perhaps easier to point out what seemed to be defects in a code of repressive laws than to hit upon practical remedies; and that in regard to a system which, after all that could be objected to it, seemed to be steadily working out the object in view, it would require much cautious study of the question before alterations could be admitted. That study he would, however, give it, and he could only reiterate through me his assurances to Lord Palmerston and to your Lordship that there was no lack of goodwill in regard to this point on the part of Her Catholic Majesty's Government.

With respect to the defects of the system in force in Cuba, to which I had alluded, I said that I did not feel myself at liberty to discuss or call in question the wisdom of the Spanish legislative or administrative system otherwise than in so far as they affected the execution of a Treaty with Her Majesty's Government.

I have at considerable length reported to your Lordship the observations of Marshal Narvaez and Señor Benavides respecting the Slave Trade with a view of elucidating the real cause of the evident reluctance of the Ministers of the Spanish Crown to take the necessary measures for suppressing it, while expressing their abhorrence of it, and their determination to put it down. That many of the individual Spanish Statesman with whom I have had to deal in regard to this matter are sincere in their expressed desires, I have little doubt. We must, therefore, look elsewhere for the cause, and this is unfortunately to be found in a certain laxity of public feeling respecting the enormity of the offence of slave-trading, together with the remains of the long-subsisting Colonial policy of the Spanish Monarchy, which still survives in regard to Cuba.

I have the honour to inclose the copy of an official note which I have addressed to Señor Benavides, conveying to him the proposal of Her Majesty's Government to join in a declaration denouncing Slave Trade as piracy, and providing for the punishment of the subjects of either Power by the Courts of the other for that offence.

Inclosure in No. 125.

Sir J. Crampton to Señor Benavides.

M. le Ministre, *Madrid, January* 10, 1865.

IN pursuance of the remarks which I have lately had the honour of making to your Excellency verbally upon the subject of the Slave Trade, and more particularly with reference to the beneficial effect of some public act by Spain, declaring that infamous Traffic to be equivalent to the crime of piracy; I have now the honour, by the instructions of the Government of the Queen my mistress, to invite Her Catholic Majesty's Government to take into consideration a proposal which the British Government has made to several Governments in Europe and America, namely, to consider whether it would not be practicable, honourable, and humane—

1st. To make a general declaration that Governments who are partisthereeto denounce the Slave Trade as piracy.

2ndly. That the aforesaid Governments should propose to their Legislatures to affix the penalties of piracy already existing in their laws, provided only that the penalty in this case be short of death, to all persons being subjects or citizens of one of the Contracting Powers, who shall be convicted in a Court which takes cognizance of piracy, of being concerned in carrying human beings across the sea for the purposes of sale, or for the purpose of serving as slaves in any country or Colony in the world.

I have already, in several communications which I have had the honour to make to your Excellency's predecessors in office, dwelt upon the necessity of placing legally the crime of trading in slaves in the same category as that of piracy, from which morally and essentially it does not differ in any way, except that of being usually accompanied by circumstances of still greater cruelty and atrocity. I trust also that I have in those communications been successful in showing, by a reference to the conduct of those Governments who have adopted the principle in their laws, that while it has infinitely strengthened their hands in regard to the promotion of an object which Her Majesty's Government will not allow itself to doubt the Spanish Government have as much at heart as Her Majesty's Government itself, it is exempt from any countervailing disadvantage or inconvenience. It is therefore unnecessary for me now to say more on that head. I would nevertheless take this opportunity of adverting to a circumstance which has lately been brought more particularly under the attention of Her Majesty's Government, and which strikingly shows how much some arrangement of the kind now proposed is wanted in order to prevent parties engaged in the Slave Trade from continually evading the well-meant efforts of the authorities charged to suppress it.

When a vessel is captured and condemned to confiscation by a proper Tribunal for the crime of slave-trading, the persons composing her crew, and who are not subjects of the capturing Power, are, in the absence of any international provision to the contrary, liberated, and are landed at some convenient spot in order to get rid of them, there being no legal power by which they can be given up to their respective Governments. The usual result is, that these crews immediately engage in fresh Slave Trade adventures, thus affording to the contrivers of this inhuman Traffic a ready supply of hands for a renewal of their operations.

It is the opinion of the officers of Her Majesty's navy engaged in the suppression of the Slave Trade, that nothing would more contribute to this object than the power of delivering up the crews of captured slavers to their respective Governments to be punished according to law, instead of being let loose with the power of again pursuing their former avocation.

Her Majesty's Government feel persuaded that Her Catholic Majesty's Government will consider that such a class of persons is utterly unworthy of the protection of the Spanish Crown, and will not hesitate to accede to an arrangement calculated to deter all subjects of Her Catholic Majesty from forming a part of it.

I avail, &c.

(Signed) JOHN F. CRAMPTON.

No. 126.

Sir J. Crampton to Earl Russell.—(Received January 25.)

My Lord, *Madrid, January* 21, 1865.

WITH reference to that part of my despatch of yesterday's date, in which I state that I had referred Marshal Narvaez to the opinion of former Captains-General of

Cuba as being favourable to the measure so often pressed by Her Majesty's Government on that of Spain, of declaring the Slave Trade to be equivalent to piracy, it may be satisfactory to Her Majesty's Government to observe that in a speech pronounced last night in the Senate by one of the most distinguished of those officers, Marshal Serrano, Duke de la Torre, his Excellency took the opportunity of declaring that such was his decided opinion.

I have the honour to inclose translation of the passage to which I refer from this day's number of the "Madrid Gazette" containing a report of his Excellency's speech.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 126.

Extract from the Duke de la Torre's Speech.

(Translation.)

I NOW proceed to make some observations which I think necessary respecting our Colonial possessions, the first being that in my opinion the Slave Trade is a blot upon our national honour. Let it not be supposed that this opinion is one I now advance for the first time. I held this opinion at the time I was in the Island of Cuba, when I proposed that the Slave Trade should be treated as an act of piracy.

No. 127.

Sir J. Crampton to Earl Russell.—(Received February 15.)

(Extract.) *Madrid, February* 11, 1865.

I HAVE on different occasions called your Lordship's attention to the expression by Spanish statesmen of their personal opinion as to the necessity of declaring the Slave Trade to be piracy, and of adopting measures of internal police in Cuba in order effectually to put an end to that abominable Traffic.

I have now the honour to forward translation of an extract from the "Madrid Gazette" containing the report of some observations on this subject made by Señor Posada Herrera in the course of a speech yesterday delivered by his Excellency in the Cortes.

Señor Posada Herrera was Minister for the Interior during the whole of Marshal O'Donnell's Administration, and is a personage of considerable political importance.

Your Lordship will observe that his Excellency not only states that "daily abuses" occur in respect to the importation of slaves into Cuba, but points out as the only remedies for such abuses a declaration that the Slave Trade be piracy, and a Law by which an annual census of the negro population should be compulsory. An implied admission of the inadequacy of the present Laws for repressing the Slave Trade in Cuba is contained in his remark that "when the Slave Trade should no longer exist" it would be necessary to consider what indemnity should be awarded to the planters in consideration of such a change of legislation as would effectually suppress it.

Inclosure in No. 127.

Extract from the Speech of Señor Posada Herrera, in the Cortes, February 10, 1865.

(Translation.)

. . . . Reflect, gentlemen, that there exists there (in the Spanish Colonies) the question of slavery, and reflect upon what will happen when no other slaves exist in the world than ours in Cuba. Calculate upon this, and see whether a prompt but well-considered solution of this question is not necessary. I know not in what manner the Slave Trade can be extinguished, except by considering it to be piracy, and by making an annual census of the negro population of Cuba, in order to avoid the abuses which are committed there every day.

And when this should be done, and when the Slave Trade should no longer exist, it would be necessary to take into consideration what indemnities should be awarded to the inhabitants of the island as compensation for the change from the one legislation to the other; and to consider the grave mercantile question which would extend from the Mediterranean to the Pacific; and to come to a prompt resolution before it was too late . . .

No. 128.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, February* 16, 1865.

I TRANSMIT herewith, for your information, copy of a despatch as marked in the margin,* on matters connected with the Cuban Slave Trade.

I am, &c.
(Signed) RUSSELL.

No. 129.

Sir J. Crampton to Earl Russell.—(Received February 22.)

(Extract.) *Madrid, February* 18, 1865.

WITH reference to my despatch of February 11th, reporting some observations made in the Spanish Cortes by Señor Posada Herrera respecting slavery and the Slave Trade in Cuba, and more particularly his Excellency's opinion that the Slave Trade ought to be subjected to the penalties of piracy, I have now the honour to inclose the Report of part of a speech delivered by Señor Seijas Lojano, the Minister for the Colonies, in which he adverts to Señor Posada Herrera's remarks.

Inclosure in No. 129.

Extract from the "Madrid Gazette" of February 18, 1865.

(Translation.)

I SAID it was necessary to prove to foreign nations that we were desirous to have done with the Traffic, and there are two ways of doing this: either to declare it piracy, or to resort to a yearly census in the Island of Cuba. I am not favourable to the first method; but it is not for the reasons stated by Señor Seijas, because all writers on the law of nations admit two sorts of piracy—the true and the approximate; consequently, if we declare the Traffic to be piracy, it would be approximate; and therefore competition might be declared, and all the questions pointed out by Señor Seijas.

But I repeat that I am rather in favour of the second extreme; and, in conseq u ece all his arguments have no force at all in regard to my view.

And it is clear that the question has to be studied; but I do not believe that we are to pass the whole of our lives in studying it. Let us take part with the natives of the place in this resolution, but let them know that they must entertain it.

No. 130.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, March* 8, 1865.

I INCLOSE, for your information, a copy of a despatch from Her Majesty's Consul-General at the Havana,† reporting that no landings of negroes from Africa have taken place in Cuba during the month of January last.

I am, &c.
(Signed) RUSSELL.

No. 131.

Earl Russell to Sir J. Crampton.

Sir *Foreign Office, March* 20, 1865.

WITH reference to your despatch of the 5th of January last, inclosing a copy of a note from the Spanish Minister for Foreign Affairs, stating that after strict examination of the "*Ciceron*" before she sailed from the port of Cadiz on the 24th of October last,

* No. 176. † No. 180.

the Spanish authorities had come to the conclusion that she was not bound for the African coast or destined for the Slave Trade, I now transmit to you a copy of a despatch from Her Majesty's Commissioner at Loanda,* reporting the recent capture on the African coast of the boatswain of that vessel, together with copies of the papers in his possession tending to prove that the "*Ciceron*" visited that coast with the intention of shipping slaves.

I have to instruct you to make this intelligence known to the Spanish Government.

I am, &c.
(Signed) RUSSELL.

No. 132.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, April* 12, 1865.

I TRANSMIT to you, for your information, a copy of a despatch from Her Majesty's Consul-General at Havana,† reporting a conversation which he held with General Dulce on matters relating to the Cuban Slave Trade, and containing information respecting the movements of the slaver "*Ciceron.*"

I am, &c.
(Signed) RUSSELL.

No. 133.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, April* 12, 1865.

I TRANSMIT to you herewith a copy of a letter from the Commander of Her Majesty's ship "Griffon,"‡ which has been communicated to me by the Lords Commissioners of the Admiralty, containing information respecting the movements of the notorious Spanish slave-steamer "*Ciceron,*" which vessel it will be seen has been again thwarted in an attempt to ship a cargo of slaves from the African coast.

The information contained in Commander Perry's letter, you will see is confirmed by a report received from Her Majesty's Consul-General at Havana, a copy of which is inclosed in my previous despatch of this day's date.

I have to desire that you will communicate the foregoing information to the Spanish Minister for Foreign Affairs in reply to his note of the 2nd January last, in which he informed you that there were no grounds for detaining the "*Ciceron,*" and that she was engaged on a legal voyage.

I am, &c.
(Signed) RUSSELL.

No. 134.

Sir J. Crampton to Earl Russell.—(Received April 17.)

My Lord, *Madrid, April* 12, 1865.

I HAVE the honour to inclose copy and translation of a note which I have received from the Spanish Minister for Foreign Affairs, stating that Her Catholic Majesty's Government have received intelligence from the Captain-General of Cuba that upwards of 14,000 negroes are held in readiness at different place on the Coast of Africa to be embarked and sold as slaves, and suggesting that Her Majesty's Government should take measures for increasing the vigilance of the British cruizers employed for the suppression of the Slave Trade.

I have, &c.
(Signed) JOHN F. CRAMPTON.

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* Class A, No. 87. † No. 181. ‡ Class A, No. 65.

Inclosure in No. 134.

Señor Benavides to Sir J. Crampton.

(Translation.)

Sir, *Madrid, April* 8, 1865.

I HAVE the honour to acquaint your Excellency that according to information which the Government of the Queen, &c., has just received, transmitted by the Superior Governor of Cuba, there are at the present moment at different factories on the Coast of Africa 14,000 negroes ready to be embarked and sold as slaves. It is notorious, as the Government of Her Britannic Majesty is aware, that that worthy authority has captured five slave-trading expeditions, which during the time of his government reached the waters of Cuba; on account of the well-known perseverance and activity with which the Slave Trade is prosecuted, all the results which are so much desired by the Government of Her Majesty, and which they make every possible effort to attain, will not be arrived at unless the vigilance of the English cruizers on the Coast of Africa is increased.

The Government of Her Britannic Majesty may be assured that the Government of Her Majesty will employ, as they hitherto have done, every means of repression in their power; but in order to attain the end which both Governments have proposed to themselves it is necessary, as has already been pointed out, that on its part the Government which your Excellency so worthily represents should take the proper measures for redoubling the activity of the English vessels destined for the suppression of the trade.

I avail, &c.

(Signed) A. BENAVIDES.

No. 135.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, April* 27, 1865.

I HAVE received your despatch of the 12th instant, inclosing the translation of a note from the Spanish Minister for Foreign Affairs, stating that the Government of Her Catholic Majesty have received intelligence from the Captain-General of Cuba that upwards of 14,000 negroes are held in readiness at different places on the Coast of Africa to be embarked and sold as slaves, and suggesting that Her Majesty's Government should take measures for increasing the vigilance of the British cruizers employed for the suppression of the Slave Trade.

I have to instruct you to convey to Señor Benavides the thanks of Her Majesty's Government for his communication.

You will state to his Excellency that the reports received by Her Majesty's Government from the African Coast show that the information furnished by the Captain-General of Cuba is well founded, and that a considerable number of slaves are collected at various points on the coast for embarkation; but you will also inform his Excellency that the schemes of the slave-traders to procure their exportation have for some time past been paralyzed by the vigilance of Her Majesty's cruizers.

In proof of this vigilance you will remind the Spanish Minister that the efforts of the notorious slave-steamer "*Ciceron*" to procure a cargo of slaves have been frustrated on the occasion of her last two visits to the coast. My despatches of the 12th ultimo will have conveyed to you the latest information respecting this vessel, by which it will be seen that a boat's crew, containing the mate and four seamen belonging to the "*Ciceron*," have been captured by a British cruizer in the neighbourhood of the Congo River whilst on their way to the shore to make arrangements for the shipment of a cargo of slaves.

The four seamen in question have been handed over by the Commander of the British cruizer that made the capture to the Spanish authorities at the Canary Islands to be dealt with in accordance with the Spanish laws.

The Government of Her Catholic Majesty will therefore have the means, if they have the will to do so, of ascertaining the true nature of the voyage on which the "*Ciceron*" has been lately engaged.

Her Majesty's Government are convinced that nothing would tend more to discourage the Cuban slave-dealers, and to put a stop to the traffic, than the prosecution to conviction of some of the wealthy individuals who are well known to be deeply implicated in the Cuban Slave Trade, and who are notoriously interested in the slave steamer "*Ciceron*;" and Her Majesty's Government earnestly trust that the Government of Her Catholic

Majesty will avail themselves of the opportunity that will now be afforded them of prosecuting the owners and others interested in the slave-trading adventures of this vessel.

I am, &c.
(Signed) RUSSELL.

No. 136.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, May* 8, 1865.

WITH reference to my despatch of the 27th ultimo, and to former correspondence relative to the notorious Spanish slave-steamer "*Ciceron*," I now transmit for your information the accompanying copies of despatches as marked in the margin from Her Majesty Minister in Mexico and from Her Majesty's Consul-General in Cuba,* containing information respecting this vessel, from which it will be seen that the "*Ciceron*" has apparently been transferred to the Mexican flag, and is now sailing under the name of the "*Margarita Quintero.*"

You will communicate the substance of the information contained in these papers to the Spanish Government.

I am, &c.
(Signed) RUSSELL.

No. 137.

Sir J. Crampton to Earl Russell.—(*Received May* 16.)

My Lord, *Madrid, May* 12, 1865.

I HAVE the honour to inclose copy of a note which, in obedience to the instructions contained in your Lordship's despatch of the 12th April last, I addressed to the Spanish Minister for Foreign Affairs dated 22nd April, on the subject of the slave-steamer "*Ciceron,*" together with a translation of the reply which his Excellency has returned to this and previous communications.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 1 in No. 137.

Sir J. Crampton to Señor Arrazola.

M. le Ministre, *Madrid, April* 22, 1865.

WITH reference to the note dated 26th March which I had the honour of addressing to Señor Benavides respecting the proceedings of the well-known slaving-vessel "*Ciceron,*" I have now, by the instructions of Her Majesty's Government, to communicate to your Excellency a letter (copy of which is herewith inclosed) containing further information regarding this vessel, from which it appears evident that she proceeded to the coast of Africa for the purpose of shipping slaves, and that there can be no doubt that she has only hitherto been prevented by the watchfulness of Her Majesty's squadron from continuing to carry on the odious Traffic in which she has so often been engaged.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 2 in No. 137.

Señor Benavides to Sir J. Crampton.

(Translation.)

Sir, *Madrid, May* 6, 1865.

I HAVE the honour to acknowledge the receipt of your Excellency's notes of the 26th March and 22nd April last, together with four documents relative to the Spanish

* Nos. 65 and 183.

steamer "*Ciceron*," which is supposed to be destined for the odious and criminal Traffic in negroes on the coast of Africa. I have this day communicated the said documents to the Minister of Marine, and as soon as I receive an answer I will hasten to transmit it to your Excellency.

I avail, &c.
(Signed) A. BENAVIDES.

No. 138.

Sir J. Crampton to Earl Russell.—(*Received May* 31.)

Madrid, May 19, 1865.

My Lord,

WITH reference to your Lordship's despatch of the 9th instant, I have the honour to inclose copy of a note which I addreesed to the Spanish Minister for Foreign Affairs, communicating to his Excellency the substance of the several despatches, copies of which were inclosed in that despatch, on the subject of the probable destination and suspicious character of the Spanish steamer "*Ciceron*."

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 138.

Sir J. Crampton to Señor Benavides.

Madrid, May 15, 1865.

Sir,

WITH reference to my notes of the 26th of March and 22nd of April last, and to your Excellency's reply thereto of the 6th instant, I am instructed by Earl Russell to communicate to your Excellency the substance of further correspondence which has been received by Her Majesty's Government respecting the notorious slave-steamer "*Ciceron*," and I have therefore the honour to inclose to your Excellency herewith a memorandum from which your Excellency will learn the movements and probable destination of this vessel, and the suspicious character which is attached to her.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

No. 139.

Earl Russell to Sir J. Crampton.

Foreign Office, June 2, 1865.

Sir,

WITH reference to my despatch of the 25th October last, inclosing copies of papers relating to the case of the Spanish ship "*America*," condemned in the Mixed Commission Court at Sierra Leone for being equipped for the Slave Trade, I now inclose, for your information, a copy of a note from the Spanish Minister at this Court protesting against the condenmation of the "*America*," together with a copy of my reply.

I am, &c.
(Signed) RUSSELL.

Inclosure 1 in No. 139.

M. Comyn to Earl Russell.

(Translation.)

Spanish Legation, London, March 10, 1865.

My Lord,

ON the 25th of August ultimo the Mixed Court of Sierra Leone condemned the Spanish frigate "*America*," on the supposition that she was intended for the Slave Trade. The circumstances which took place in the capture and condemnation of this frigate are of such a nature that the Government of Her Majesty the Queen my august Sovereign cannot but claim of Her Britannic Majesty's Government reparation for the unjust losses caused by this act, and that an attempt be made to avoid similar cases in future.

Her Britannic Majesty's Government must be perfectly well informed of everything

relating to this matter, so that it is not now necessary to remind it of all the details. Nevertheless, it will not be wholly useless to mention here the principal circumstances, giving a brief narration of the events in question.

The frigate "*America*," of the register of Bilbao, and belonging to a firm of Cadiz, was dispatched in due form from this port to Buenos Ayres in February 1863, under the command of Captain Don Antonio Bisquert. She remained there until the following July, when, after having left there the passengers and a part of the general cargo which she had brought from Cadiz, she left it bound for Mozambique, where Captain Bisquert proposed to make an establishment for purchasing and cleaning rice, for which purpose he carried a machine, and an English engineer to put it up. The necessity of getting water compelled the captain to put into the port of Mambave, on the bar of which he had the misfortune to lose four seamen. He soon after reached Mozambique, and, according to his intention, he began to sell his cargo and to buy rice for the purpose of cleaning it, but the engineer could not support the unhealthy climate, and died before setting up the machine. This additional misfortune obliged Captain Bisquert to give up his intention of cleaning rice, and he therefore determined to buy as much rice as he could in the husk, and to load it, with the machine, which was now of no use to him, on board of another vessel which was to arrive at that coast, dispatched by the same house which owned the vessel at Cadiz.

During her stay at Mozambique the "*America*" was rigorously searched, by Portuguese authority, and no proof or indication of any sort was found that could raise a doubt of her licit and lawful character.

On the 17th September the "*America*" weighed anchor for Zanzibar, from whence she returned, bound for Cadiz viâ Mozambique, on the 22nd December, having on board 1,800 bags of cloves. On this passage she was visited and convoyed to Mozambique by the English cruizer "Penguin," which likewise found on this occasion no reason for suspicion. When she arrived at this last place, the other Spanish vessel before mentioned was found there, and Captain Bisquert put on board of her the rice which he had purchased, and the machine mentioned above, completing the cargo by one-half the bags of cloves which he had brought from Zanzibar. This vessel immediately returned, whilst the "*America*" delayed her voyage to Cadiz for the purpose of taking in more rice, but as there was none at that time in Mozambique, the captain resolved to proceed to Nossibé, where he bought as much as he could for the time, and, without staying to wait for the new harvest, because the vessel was in a bad condition, he went away to return to Spain, after taking on board at Mozambique the mate, whom he had left there to look after the sale of the outward cargo.

The "*America*" then left Nossibé on the 30th March, and, after sailing a few days, met, on the 3rd April, the British cruizer "Ariel," who subjected her to a strict search of some hours. On this occasion, also, there was no suspicion, nor any indication unfavourable to the "*America*," wherefore she was left to pursue her voyage, after having some observations recorded, as provided by the Treaty in force upon this subject, in which is stated the search made in due form, and its favourable result. With this security the "*America*" continued her voyage, and in two days after, on the 5th April, the "Ariel" came to her again, and repeating the search, but with less deliberation, captured her and sent her to Sierra Leone, in order to prevent her, as declared by the British Commander, from going to the coast to take in negroes.

In consequence of this, after more than two months' navigation, during which she had to touch at the port of Santa Isabel to take water and buy bread, the captured vessel reached Sierra Leone on the 14th day of June. Judicial proceedings were commenced immediately, the result of which was the condemnation and destruction of the ship—a condemnation made by the British Arbitrator, because of the disagreement of the Spanish and English Judges, and pronounced two months and eleven days after the "*America*" had cast anchor in Sierra Leone.

Her Britannic Majesty's Government will readily agree that the facts which I have narrated cannot but call the attention of every impartial person. A dispassionate mind, considering only the circumstances of the case, without taking into account the interests of the captured or the captors, must feel a difficulty in approving the condemnation of this vessel, whose conduct furnishes no ground of suspicion when fairly considered. But the difficulty becomes astonishment when the arguments are weighed which were employed to support the condemnation. If Her Britannic Majesty's Government wishes to be satisfied of this, it will be sufficient that it should examine with attention the copy which I have the honour to inclose to your Excellency of the opinion of the Spanish Judge of the Mixed Court of Sierra Leone, in which he argues, triumphantly in my opinion, against the accusations of which the Spanish vessel "*America*" has been the victim. See, among

other matters, what is said about the circumstance of finding on board the "*America*" a larger number of casks than what the captors thought necessary, and you will be convinced of the overcharged way in which this fact has been considered, as well as all the others in relation to this matter. The water which those casks contained was not enough for the voyage from the place of capture to Sierra Leone, and, nevertheless, the captors alleged that they were more numerous than was necessary for the whole voyage which the "*America*" was to take from the southern coast of Africa to the continent of Europe.

But the Government of my august Sovereign does not propose to refute arguments nor to reproduce proofs in defence already brought forward by the Spanish Judge; this would be equivalent to instituting a new trial, or making an appeal which the Treaty of 1835 does not admit. Her Majesty's Government only intends to plead for the rigorous observance of the law established, and would therefore abstain from promoting a discussion upon a cause decided, if it was able to look upon the sentence pronounced by the Mixed Court of Sierra Leone on the cause in question as being such an observance. But far from this, it is of opinion that there were in this delicate matter circumstances which controvert the validity of the sentence passed by the Court, and cannot but afford a ground for legitimate remonstrances.

There are two incontrovertible official acts,—two manifest infractions of the Treaty,—which are sufficient to annul the whole result of the trial.

In the first place, the capture of the "*America*" was anomalous, unjust, and opposed to existing international legislation. The Treaty of 1835 authorizes the cruizers which are employed in putting down the illicit Trade to make one sole examination, and no more, until fresh circumstances come to destroy the security and confidence which are the result of this examination. In Article IV, Rule 3, it is provided, "If it appears from the search that the papers of the vessel are in regular order, and that it is employed on licit objects, the officer shall enter in the log-book of the vessel that the search has been made in pursuance of the aforesaid special orders; and the vessel shall be left at liberty to pursue its voyage." What can the value or the meaning of this last clause be, if the vessel, after having been searched and declared free from suspicions may be subjected to a daily search, to a continual and arbitrary detention, while she remains in the same circumstances in which she was found at the time of the first search? What can be the liberty of navigating which the Treaty so explicitly grants after the search?

Well, then, if the "*America*" was searched in due form, and in the documents there is the seasonable note in which the authorized officer declares his conviction that the operations of the vessel are licit, what should be done to complete the fulfilment of the Treaty?

It is evident that the only thing to be done without committing a manifestly arbitrary act, was to allow the vessel to continue freely her voyage. The cruizer had already made use of his right, and, at the same time, had done his duty of vigilance. From that moment the "*America*" remained, by express provision of the Treaty, at full liberty to continue her route. Had any new occurrence by chance taken place which could justify the necessity of the second search, so as to prevent this from being an open breach of the Treaty? Clearly not, because the vessel had not approached the coast, nor had met with any other ship, and the cruizer could hardly have lost sight of her. But the most decisive proof of that is the same declaration of the officer of the "Ariel," who proceeded to the capture to prevent the vessel from approaching the coast, that is to say, for a simple fear, for a personal suspicion, and without any proof evidencing that the "*America*" might go on shore with an illicit intention; but not because any new occurrence had taken place which might undo the effect of the former search.

This declaration is conclusive evidence against the conduct of the same commander, which not only shows his arbitrary conduct in putting forth a mere suspicion as the sole motive for his conduct, but who saw nothing wrong in risking it, contradicting the declaration written two days before, that is to say, contradicting his own authority, and at the same time infringing the spirit and the letter of the Treaty. The commander of the "Ariel" might, doubtless, have detained and captured the "*America*" at the first search, in accordance with the IVth and Xth Articles of the Treaty, if he believed he saw *primâ facie* indications which would justify this step; he might also have done it from mere suspicions, appealing to the 1st Article of Annex A to this effect,—always, be it understood, under the responsibility which appertains to the case: but what he could not do under any view, what the Treaty does not authorize in any one of its Articles, what cannot be so interpreted without forcing both the spirit and the letter is, to proceed to make a second search in the form used by him, detaining a vessel which was already free by right, and free by virtue of the very legislation which the commandant of the "Ariel" abused so obviously.

It was only an act of force that could carry the ship "*America*" as a prize to Sierra Leone, and this being the case it is easy to infer that the proceedings of the Mixed Court, employed for investigating the indications and proofs in order to find out the destination of the captured vessel, were anomalous ("improcedentes"), because, first of all, it ought to have been ascertained whether or not the vessel ought to be subjected to trial, and whether or not the Court had jurisdiction over her. This was an indispensable preliminary question, the determination of which would have necessarily shown the impossibility of commencing proceedings. Before beginning its ordinary business, the Court ought to have examined whether the case was in its competency or not, and it should not lose sight of the fact that, in every case, its powers are limited to judging of captures made justly or unjustly, provided always that they be made in accordance with the Treaty, but not out of it nor against it.

By acting in a different way, the Court displayed ignorance of its own incompetence, and inexcusably left an essential flaw in the very origin of the proceedings. But this is not the only cause of nullity which invalidates the whole case in this matter. The IIIrd Article of Annex B of the Treaty, after having provided that the sentence shall be pronounced, whenever it is possible, within the term of twenty days, reckoned from the time when the captured ship enters the port where the Court sits, makes the following order:—

"The final sentence shall not, in any case, be delayed beyond the period of two months, whether on account of the absence of witnesses, or for any other cause, except upon the application of any of the parties interested; but, in that case, upon such party or parties giving satisfactory security that they will take upon themselves the expense and risks of the delay, the Courts may grant an additional delay, not exceeding four months."

According to this decisive provision, the "*America*" ought to have been sentenced, on the supposition that the trial had proceeded from a legal basis, first of all within twenty days if it had been possible, and, at the utmost, in two months, that is to say, on the 14th of August, and at the latest, when the aforesaid term expired. Nevertheless, this was not done; on the contrary, the sentence was delayed till the 25th August, eleven days further. In accordance with the letter of the Treaty, a motion for such delay could not in any case be made by the Court, nor could arise from any circumstance of the proceedings, but from the presentation of an appeal by the party or parties interested, after giving proper security. Well, then; neither party has intervened in the cause to legalize the slowness of the proceedings, or the delay of the judgment; so that the Court has pronounced sentence beyond the proper time, against the express provision of the Treaty; or, what comes to the same, when its jurisdiction had already expired, without the concurrence of the only legitimate means of prolonging it.

This case not being foreseen in the Treaty, but there being at the same time no doubt that the Treaty points out a limit of two months for the definitive exercise of jurisdiction, it became the duty of the Court not to use powers which it no longer possessed, but to have recourse to the two Governments which signed the Treaty, to the effect that they should, in common accord, resolve a case which was now beyond any settled legislation, and, therefore, beyond the jurisdiction of the constituted Court. The result then is, that if, on the one hand, the Court could not commence proceedings because the act upon which the matter rested was illegal, and because such illegality remained unremedied, still less could it pronounce sentence after allowing its jurisdiction to expire, putting itself beyond the proper term allowed by the law. The government of my august Sovereign finds in each of these cases an evident cause of nullity, either of which would be sufficient to destroy the validity of the judgment.

Lastly, there is another fact which, whatever may be attached to it, could not but call the attention of Her Majesty's Government. In the course of the procedure, when, after repeated examinations effected on the vessel, and, after contradictory declarations, the trial was considered at an end, a man of the "*America's*" crew, by nation a Portuguese, named Manuel Martinez, came forward to make a declaration unfavourable to the vessel. This individual was on shore, and it is very remarkable that the representations of the Spanish Judge were unavailing to get him brought on board. This tardy ("estemporaneo") declaration, not mentioned at the commencement of the proceedings, has, on this account, a suspicious character, and, apart from the import to be given to the declarations of this seaman, it is proper to mention here that the Spanish Judge did not approve them, and that public opinion attributed that unseasonable accusation to causes inadmissible in the course of justice.

For all the reasons above alleged, the Government of the Queen my august Sovereign considers itself bound to remonstrate against the condemnation of the Spanish vessel "*America*," and, in compliance with its especial instructions, I have the honour to address

your Excellency, asking you, after examining into the details of this affair, and recognizing the illegality of the capture of that ship, to declare the proceedings and sentence of the Mixed Court to be null, and to grant to the owners of the "*America*" the indemnification which is due to them.

I have, &c.
(Signed) JUAN S. COMYN.

Inclosure 2 in No. 139.

Opinion of the Spanish Judge.

(Translation.)

IN the case of the Spanish ship "*America*," Antonio Bisquert master, which was tried in the Court on Thursday and Friday in this week for being engaged in the Slave Trade, his Excellency the English Acting Judge is of opinion that the vessel be condemned.

As I see no reason whatever for supposing this vessel to have been engaged in the Slave Trade, I am anxious to state the grounds which compel me to decide that this suit should be dismissed, and the captors condemned in damages and costs.

The "*America*," as it appears by the written evidence given on the part of the captors, was boarded, on the 3rd April last, by Her Majesty's ship "Ariel," in longitude 46° 45′ east, and latitude 13° 45′ south. The Commander of the "Ariel" did not go on board himself, but he sent Mr. Buckle, his First Lieutenant, to search the vessel, and he was engaged about six hours in searching the "*America*."

Mr. Buckle appears to have been satisfied that everything in the "*America*" was legal, and he accordingly made the following entry in her log:—

"Sunday, 3rd April, 1864. The '*America*' was boarded by a boat from Her Majesty's ship 'Ariel' and searched; seven large tanks were found below, full of water, and ten casks on deck, but apparently nothing to justify detention. The ship's papers appear to be correct, excepting the date of arrival at Nos Beh on the 16th March. The 'Ariel,' however, arrived at Nos Beh on the 19th, and the log, as regards arrival at Nos Beh, is considered correct. The ship has not been detained. No complaint.

(Signed) "Claud E. Buckle,
"*Senior Lieutenant of Her Majesty's ship 'Ariel.'*"

The Commander of the "Ariel" was not satisfied with this, and, according to the statement of Mr. Dunlop, the prize-officer, he followed the "*America*," never losing sight of her, except at night, until the 5th April, when, accompanied by Mr. Buckle and another officer, he proceeded on board, and detained the vessel for being engaged in the Slave Trade. This was in itself a proceeding not warranted by the Treaty, which states that when the search is made by an officer of the cruizer who is not the Commander, the said officer shall exhibit to the captain of the merchant-vessel a copy of the before-mentioned special orders, signed by the Commander of the cruizer, and shall in like manner deliver a certificate signed by him, stating his rank in the Royal Navy, the name of the Commander by whose orders he proceeds to make the search, that of the cruizer in which he sails, and the object of the search, as has been already laid down. If it appears from the search that the papers of the vessel are in regular order, and that it is employed in licit objects, the officer shall enter in the log-book of the vessel that the search has been made in pursuance of the aforesaid special orders, and the vessel shall be left at liberty to pursue its voyage.

I hold, therefore, that the detention of the "*America*," after she was released by Mr. Buckle, was illegal. Commander Chapman, however, seized the vessel, placed a prize crew of thirteen men and three English officers on board, and sent her to this Colony for trial. He made a written declaration which contains the grounds for detaining the "*America*," viz.:—

1st. Four bulkheads or divisions, with several loose planks, and four tons of ebony, which would make another slave-deck for a quantity of slaves, &c.

2nd. A main-deck thoroughly adapted for the conveyance of slaves.

3rd. Some slave stocks.

4th. A larger quantity of water both in casks and tanks than requisite for the crew of the vessel.

5th. An extraordinary number of water-casks, and no certificate produced from any Custom-house for the same, and no security that such vessel should only be used for other than lawful commerce.

6th. A larger quantity mess gear than requisite for the crew of the vessel. Cooking range much larger than requisite for the crew of the vessel.

7th. A very large quantity of rice in husk, upwards of 100 tons, and not entered on the manifest as part of cargo for trade; also 4,000 cocoa-nuts, both slave food.

This document shows that the commander had grave doubts respecting the regularity of his own proceedings, for he goes on to observe that, "I at once decided in placing a crew on board to take her to Sierra Leone to be adjudicated, as it would not delay the ships very materially, the master having informed me that he was bound to Cadiz, and I thought it would be a great blow to the Traffic to prevent him shipping his cargo."

The "*America*," on her way to Sierra Leone, called at Algoa Bay, and took in 11½ tons of water, some salt provisions, potatoes, a large quantity of biscuits, value 3*l.* English money.

These articles were paid for by Mr. Dunlop, the English prize officer in charge of the "*America*," and it appears they were all put on board the ship for the use of the Spanish crew. The "*America*" was only thirty-two days going to Algoa Bay, and it is singular that, although one of the grounds alleged by Commander Chapman for making the seizure was that the vessel had an excess of water and provisions on board for a crew of twenty persons, including the captain, in a voyage from Nos Beh to Cadiz, which would occupy about 100 days, there should have been any necessity to take a fresh supply of water after so short an interval, there being only thirty-six souls on board the vessel at this time.

The "*America*" arrived at this port on the 14th June, and proceedings were immediately taken against her, and she was arraigned before this Court upon the affidavit of Mr. Dunlop, the prize officer, which contains the following grounds of accusation against her, viz:—

1st. A second or main deck, fore and aft.

2nd. A set of wooden stocks with holes for shackling the feet, capable of containing twelve persons.

3rd. Sixteen large water-casks and three large iron tanks, capable of containing about 5,000 gallons of water, to the best of my knowledge and belief a quantity much more than requisite for the use of the crew of the vessel as a merchant-vessel, no certificate having been produced by the accused from the Custom-house at the place from which he cleared outwards, stating that security had been given by the owners of such vessel that such quantity of casks and other vessels should only be used for the reception of palm oil, or for other purposes of lawful commerce.

4th. A large quantity of mess-gear, consisting of ten drinking cups, earthenware, and ten vessels which could be used as mess-gear.

5th. Four extra boilers in the hold, in addition to the boiler on deck for the use of the crew.

6th. About 130 tons of rough rice, as I have been informed by the master, 3 hundredweight of clean rice, 8 large bags of calavances, 6 barrels of beef and pork, 6 barrels and 3 cases of flour, and 19 barrels of biscuits, to the best of my knowledge and belief being a quantity of food beyond what might probably be requisite for the use of the crew of the vessel, the same not being entered on the manifest as part of the cargo for trade.

It thus appears that the first and second grounds of complaint alleged by Commander Chapman for seizing the vessel were abandoned by Mr. Dunlop, who, however, introduces in his affidavit a new charge that the "*America*" had four boilers in the hold, in addition to those on deck for the use of the crew.

The vessel having been brought before the Court, a claim was given in by the captain for the owner, Mrs. Portilla of Cadiz, and in due course the Court appointed two highly respectable gentlemen of this Colony, namely, the harbour-master and Mr. Pinnock, formerly purser but now the agent in the service of the African Mail Steam-packet Company, to survey the vessel. These gentlemen made their report, on oath, to the Court on the 18th July.

According to this document there does not appear to be more than one bulk-head or two in the "*America*." The alleged slave-deck on board is entirely ignored by these gentlemen, who declare that the ship has permanent lower-deck beams built with the ship fore and aft, and that the ebony on board being in billets was not fit for a slave-deck. They also state there were no loose planks on board the vessel that could be used for human food without being first crushed by an engine or beaten in a mortar, but none of these utensils were on board. They also reported having seen the cocoa-nuts in the "*America*," but as these are not prohibited by the Treaty, it is to be regretted they were objected to by the captors.

None of the mess-gear on board, as reported by the surveyors, are capable of contain-

ing more than half-a-pint, and as the Treaty mentions only mess tubs or kids, which, according to the evidence of these gentlemen, are never less than a gallon, it appears to me that the mess-gear on board the ship does not come within the spirit or letter of the Treaty, by which alone we can decide this case. They also report having seen some suction pipes on board, but these also are not provided by the Treaty, and it is unnecessary to say anything more about them.

They further report that the vessels on board for holding water could not contain more than 4,464 gallons, and the quantity of provisions as given by them is so trifling that it is, I think, very much to be deplored that the captors should have made them a ground of objection for seizing the ship, especially as Mr. Dunlop himself, in answer to interrogatories administered to him by the counsel, that the marshal's affidavit cannot be relied on not being a competent witness in nautical matters. It is, moreover, a very improper thing for an officer of this Court to become a partizan in a proceeding like this; and, I think, he is very much to blame for detaining the mate, boatswain, and two of the crew whose affidavit he ought to have known would be required in reply to the new case set up against the claimant.

The man who gave the marshal information about the boilers has also made an affidavit of boilers and other things having been thrown overboard before the capture of the vessel, and since her arrival in this port; but as he is directly contradicted by the master, mate, boatswain, and two other men, it could hardly be expected that I could act upon his unsupported testimony; and the observation of the claimants' counsel on the character of this man has my entire approval: moreover, I think this affidavit is also inadmissible.

The case having been delayed by the captors in consequence of this fresh evidence beyond the time provided by the Treaty to bring it to trial without any application to the Court to postpone it and sufficient security given, the claimant's counsel objected to our jurisdiction to entertain the cause. I think the objection was well-founded; but as his Honour the learned Arbitrator agreed with his Excellency the English Judge that the objection be overruled, I should say nothing more of the matter, only that since the objection was overruled the claimant's counsel has invited our attention to a despatch from an English Foreign Secretary of State who appears to concur in Mr. Raing's opinion on this point, for in that despatch Lord Clarendon says. in reply to an application from my Government, "That it is the Court of Mixed Commission at Sierra Leone that is alone competent to grant any delay in the adjudication of the cases that may be brought before it—a delay that in no case can exceed four months; and if the parties interested in the case of the "*Conchita*" had been desirous that the adjudication in this case should be suspended, then application should have been made to the Mixed Commission Court, and not to Her Majesty's Government.

I was very much surprised to hear so very little was said of the rough rice, food, mess-gear, and slave-deck on board, and these seem to have been practically given up by the captor's counsel; the portion of the cargo relied upon as being prohibited by the Treaty being the boilers which, in my opinion, do not exist, and the water casks. Respecting the boilers, I have said enough already; but as regards the water-casks, I am clearly of opinion that a most satisfactory answer has been given by Mr. Raing upon the captors' own showing. In the 11th paragraph of the master's affidavit dated 5th August, 1864, he states (and this is not denied by Mr. Dunlop) that when the "*America*" was detained they had the three tanks referred to in the Surveyor's Report, and eight pipes full of water on board, that they took thirty-one days to make the voyage to Algoa Bay, and on arrival there the eight casks and two tanks of water were consumed, along with a portion of water from the other tank. This is correct, for if it were not so, there would have been no room for the 11½ tons (equal to 2,875 gallons) of water taken at Algoa Bay, and which was paid for by the prize officer. Now the eight casks contained 1,040 gallons of water, the two tanks 1,700; the whole of these, say 2,740 gallons of water, and also some portion in the other tank, say about 260 gallons, was consumed by 36 men on board the "*America*" during 31 days only. Now if these men were going on a voyage of 100 days from Nos Beh to Cadiz, what quantity would they have consumed? Not less than 9,000 gallons of water; and yet one of the grounds of objection for bringing the vessel before this Court is that 4,464 gallons of water were an extraordinary quantity for the "*America*," with a crew of 20 persons on board, going on a voyage of 100 days. Again, it is sworn by the master that when the "*America*" left Algoa Bay the 3 tanks and 8 pipes were quite full; that they had 36 men on board, and made the voyage to this Colony in 35 days, and on arrival here they had less than 400 gallons of water remaining. Thus 36 men consumed 3,510 gallons of water in 35 days, and yet the captors object to 20 men providing themselves with 4,464 gallons of water in a voyage likely to last 100, possibly 130, days; the objec-

tion to the water, therefore, falls to the ground, the prohibition in the Treaty being an extraordinary number of water-casks, which extraordinary number was not on board the "*America*."

If I return to the remaining ground of the objection, viz., the rough rice, I find it equally futile. What kind of rice is prohibited by the Treaty? Is it rice fit to feed slaves with? Let the Treaty speak for itself:—

"An extraordinary quantity either of rice or flour of Brazil, of manioc or casada (commonly called farina), of maize or of Indian corn, beyond what might probably be requisite for the use of the crew, such rice, flour, maize, or Indian corn not being entered on the manifest as part of the cargo for trade."

Now, as it is clearly shown by the evidence that rough rice is not fit for human food, and there were no utensils on board that could be used to render it fit for human food, it is unnecessary to say anything more about this objection.

With regard to the wooden stocks, they are not provided for by the Treaty, and no reasonable man will tell me they were too many for unruly passengers and crew. The "*America*" was searched by Mr. Buckle when all the things objected to were on board: he was of opinion that he could not legally detain her, and so certified; other ships of war had visited her (minus the cargo of rough rice), and released her; and even in one of the papers before the Court Captain Gardiner, R.N., declares that every thing in her was legal; and yet, in the face of all this evidence, the Court is asked to condemn this ship. In my opinion the claimant's counsel has given a complete answer to this case, even upon the captor's own showing; and I agree with him that it was unfair, after the captors had challenged discussion on the articles of impeachment only, to raise a collateral issue, of which no notice was given to his client, in reference to the suspicious movements of the vessel and alleged irregularity of the papers, which, two days before she was seized, Mr. Buckle, the First Lieutenant of the "Ariel," had pronounced to be correct.

Claimants admit the food on board, without taking the rough rice into account, was not in excess.

The Surveyors say only one boiler (about four gallons) was on board, besides the usual cooking range, to which they could not object as being unusual. Such is the substance of the Report given by those two gentlemen; and two other surveyors appointed at the instance of the claimant, appear to confirm the Report made to the Court.

The captors do not appear to be satisfied with this Report, but they took the prudent step of not cross-examining the Surveyor of the Court.

Mr. Dunlop, however, took the unusual course of filing an additional affidavit, in which he insinuates that the four extra boilers and some water casks had been thrown overboard by the Spanish crew, but as it is shown in evidence that an English prize crew of six men and one officer armed were on the watch (being relieved by a fresh guard) during the whole of the voyage, it seems hardly within the range of probability that such a course of proceeding was adopted by the Spanish crew. But I am of opinion that this affidavit is wholly inadmissible on other grounds.

Mr. Dunlop was in charge of the "*America*," and must be held responsible for the safe custody of the alleged equipment; he swore in his affidavit of the 17th June that no change had taken place in the vessel, and I think he ought not to be permitted to contradict his own assertion. With this affidavit the captors closed their case on the 20th July.

To dispose of this case, the claimants put in various interrogatories, which were administered to the prize officer and surveyors, and an affidavit of the master, mate, and boatswain, was also filed in support of the defence.

Upon these I shall have to remark hereafter. I may mention that the claimant caused no delay in the proceedings, their case having been sent in on the 5th August.

The captors had, according to the practice of this Court, only two days to reply to the defence, but they were not permitted, according to what I understand to be the practise of all Courts, to set up a new case in answer to the defence.

They however did so, and what was its nature? The Marshal of this Court, as appears by an affidavit (which I think should not be received in evidence) made by him on behalf of the captors, discovered, upon the authority of one of the crew (a Portuguese), that there were four boilers concealed on board, which, on search, he found, but master, mate, and boatswain, and two other men, replied in another affidavit, that there were never more boilers on board the vessel than there are now; and they say that if the captors were to cause the surveyors of the Court to be examined, they would say so. The captors did not, however, see fit to examine the surveyors, and the only conclusion I am able to arrive at is this; that there are no boilers on board like those referred to by the Marshal. There is an extra boiler as stated by the surveyors, and admitted by the captain in replying

to the ninth special interrogatory, and a few small boilers for the use of the officer and crew. These were seen by the surveyors.

It is possible, as Mr. Raing has properly observed, that the Marshall saw some tin pots used for pitch and tar on board, not taken into account by the surveyors, and which he calls water-boilers. I entirely agree with the claimaints pronounced to be correct.

But I think her movements have been fully accounted for in the answer given by the Captain to the eighth interrogatory administered to him, and I agree with Mr. Raing that the captors are not entitled to call upon the claimants to give an account of themselves before a *prima facie* case has been established that the vessel had on board articles prohibited by the Treaty. I have carefully perused the papers of this vessel, and they are perfectly in order.

It is on all these grounds, therefore, that I think no case has been made out against this vessel; and as Commander Chapman is greatly in fault I think this suit should be dismissed with damages and costs.

If I were to hold otherwise, I should be subjecting the owner of the vessel, a respectable lady at Cadiz, the master, the mate, boatswain and crew of the vessel to the penal consequences involved in the Treaty upon, I may say, no evidence at all.

(Signed) MIGUEL SUAVER.

Sierra Leone, August 21, 1864.

Inclosure 3 in No. 139.

Earl Russell to M. Comyn.

Sir, *Foreign Office, May* 27, 1865.

I HAVE the honour to acquaint you that Her Majesty's Government have had under their consideration the contents of your note of the 10th ultimo, protesting against the condemnation by the British and Spanish Mixed Commission Court at Sierra Leone of the Spanish ship "*America*" on a charge of being equipped for the Slave Trade, and claiming reparation from Her Majesty's Government for the owners of the "*America*" on account of the losses sustained by them in consequence of the condemnation of their vessel.

Her Majesty's Government have likewise carefully considered the Report of Her Majesty's Judge at Sierra Leone and the evidence which accompanies his Report, and I will now proceed to make known to you the conclusions they have arrived at in this case.

Her Majesty's Government quite agree with that portion of your note which states that, after a full trial of all the circumstances before a properly constituted Tribunal, to call upon Her Majesty's Government to consider the force of arguments and proofs which had been unsuccessfully urged by the claimant before the Judge "would be equivalent to instituting a new trial, or making an appeal which the Treaty of 1835 does not admit."

Such a course of proceeding would rob the Treaty of much of its efficacy, and ought not, except in very extraordinary circumstances, to be resorted to; and certainly no such circumstances exist in the present case. On the contrary, an attentive consideration of all the facts brought forward at the trial seems to lead to the judicial conclusion that (so far as the merits of the case are concerned) the vessel was rightfully condemned.

It is to be remembered that Article X of the Treaty enumerates nine classes or categories of things relating to equipment which being found on board a vessel shall raise the legal presumption that she is a slaver; and the Article provides that "any one or more of these several circumstances, if proved, shall be considered as *primâ facie* evidence of the actual employment of the vessel in the Slave Trade, and the vessel shall thereupon be condemned and declared lawful prize, unless satisfactory evidence upon the part of the master or owners shall establish that such vessel was, at the time of her detention or capture, employed in some legal pursuit."

Now, not to dwell on various other circumstances which also had their due weight with the Judges, there was found on board this vessel a large quantity of rough rice. The subject of the ninth category in the Treaty is "an extraordinary quantity of rice, &c., such rice, &c., not being entered on the manifest as part of the cargo for trade." Of this rice no mention whatever was made in the manifest; for the presence of the rice and the absence of the manifest the excuses were equally unsatisfactory.

It was said that the rice was not fit for immediate use, and that the manifest was refused at the place where the rice was put on board; but neither the manifest nor any copy of it, which it was alleged had been tendered and refused, was ever produced before the Court; and it was clear both that the rice might have been made fit for use by the use

of the rudest materials in the hands of the simplest native, and also that at the place where the slaves were to have been put on board a more elaborate machinery might have existed for the purpose of rendering it immediately fit for consumption. Though this appears to have been a prominent feature in the case, there are many others to which reference is not now made, because it seems to be admitted that neither the Spanish nor the British Governments are Courts of Appeal from sentences upon the merits of the cases properly tried before the Tribunals constituted by the Treaty. The words of the Treaty (Article III of Annex B) are express: "These Courts shall adjudge definitively and without appeal all questions which shall arise out of the capture and detention of these vessels."

Passing, therefore, from the consideration of the merits of the case, the formal technical objections raised in your note remain to be noticed.

The Government of Her Catholic Majesty contend, first, that the capture of the "*America*" was unlawful, on the ground that cruizers are not allowed to make more than one examination of a vessel suspected to be a slaver, and this position is founded upon the language of the 3rd Rule in the IVth Article of the Treaty, which provides, among other things, that "if it appears from the search that the papers of the vessel are in regular order, and that it is employed on licit objects, the officer shall enter in the log-book of the vessel that the search has been made in pursuance of the aforesaid special orders; and the vessel shall be left at liberty to pursue its voyage."

It is contended that by this provision the British officer having once searched the "*America*," and allowed her to pursue her voyage, was not at liberty in any circumstances to visit her again and detain her. Her Majesty's Government are unable to see the force of this argument, which appears to be neither warranted by the language of the Treaty, nor founded in reason, nor supported by analogy. There are no words which directly prohibit the making of a second search; and while, on the one hand, it could not have been upon any principle of reason intended that if subsequent suspicion—from whatever circumstances—arose that the vessel was a slaver, she should be allowed to escape; on the other hand, such second search and consequent detention would be made at the risk of costs and damages to the Government of the captor (under Article VI) should he fail in establishing the guilt of the vessel. Indeed, it often happens that a vessel, to all intents and purposes an apparently legal trader, is in reality destined to be engaged in the Slave Trade, and instances have occurred of vessels having been visited one day by a British cruizer and found with their papers in regular order and destitute of any Slave Trade equipments, that have two or three days subsequently been captured by the same cruizer with a cargo of slaves on board.

It follows, therefore, that if the construction of the Treaty contended for in your note were to be admitted, the object of the Treaty would be defeated, for a vessel would only have to come to the coast with a legal cargo, and get overhauled and examined by a cruizer, to be free subsequently to carry on her Slave Trade operations without being liable to detention or search.

The Judgment in this very case, assuming it, as we are bound to do, to be correct upon the merits, shows that the narrow construction of the Treaty contended for might defeat its object.

To the construction contended for in your note, analogy also is equally adverse. The captor in time of war not unfrequently visits and detains upon a second occasion the vessel which on a former and more imperfect examination he had released. He does so, as the captor of the slaver does, at the risk of costs and damages. This argument was, indeed, not advanced at the hearing by the legal agent of the claimant, and it is one in which Her Majesty's Government cannot concur.

The other objection, also of a formal and technical character, urged in your note is founded upon the language of the IIIrd Article of Annex B of the Treaty, which provides that the final sentence shall not "in any case be delayed beyond the period of two months," and "that as far as may be practicable" it shall be decided within twenty days. The sentence which condemned the "*America*" was passed eleven days after the two months; therefore you say the Court had no jurisdiction. But this position rests, in the first place, on a confusion of two distinct principles of jurisprudence or rules of law—the rule of law which directs and that which prohibits the jurisdiction of a Tribunal. The rule in question is a directory not a prohibitory law: the matter itself, namely, the question whether the vessel be a slaver or not, is always subject to the jurisdiction, properly speaking, of the Court; though the delay which exceeds the prescribed term may (unless accounted for by unavoidable necessity, which must be considered in all human laws) be such as to give just ground for remonstrance from either the Spanish or the British Government, leading, if the circumstances require it, to the removal of the offending Judge.

This would be the true remedy for the evil complained of, which is distinct in kind

from that of the Court exercising jurisdiction over a matter like that of murder, for instance, never subject to its jurisdiction.

An irregularity of procedure and a nullity of jurisdiction are very different things. Moreover, and independently of this principle of jurisprudence, the Treaty must be construed, according to well-known principles, liberally and as a contract of good faith between the Contracting Parties, so as to further not defeat the end in view, namely, the suppression of the Slave Trade; and the words, "The proceedings of these Courts shall take place as summarily as possible," which precede the limitations of twenty days and two months, indicate the true intention of the parties to the contract, which never could have been, if a Judge or a necessary witness became ill, or a proctor either on the one hand deserted his client, or on the other wilfully delayed the proceedings of the cause till two months and one second had elapsed, that the Court from which there is no appeal should be obliged either to do an injustice, or should cease to have jurisdiction and let the slaver go free.

In accordance with this view I should be enabled to cite numerous precedents where the point was directly raised and overruled.

The delay in this case appears to have arisen from wholly unavoidable causes, the illness of the Spanish Judge and of one of the surveyors, the necessity of unpacking the rice in bad weather, and of measuring every gallon of water.

I will only in conclusion add that from Reports received both prior and subsequent to the condemnation of the "*America*," Her Majesty's Government feel convinced that the decision come to by the Mixed Commission Court at Sierra Leone was well founded and in accordance with the merits of the case.

I am, &c.
(Signed) RUSSELL.

No. 140.

Sir J. Crampton to Earl Russell.—(*Received June* 13.)

My Lord, *Madrid, June* 9, 1865.

WITH reference to my despatch of the 19th ultimo, inclosing the copy of a note which, in compliance with your Lordship's instructions, I had addressed to the Spanish Minister for Foreign Affairs, communicating to his Excellency the substance of the several despatches which were inclosed in your Lordship's despatch of the 9th ultimo, on the subject of the Spanish steam-vessel "*Ciceron*," I have now the honour to transmit herewith to your Lordship translation of his Excellency's reply to that communication, stating that the Spanish Consul at Vera Cruz has been instructed to report to his Government such information as he may be able to procure in regard to the legality of the change of flag of that vessel.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 140.

Señor Benavides to Sir J. Crampton.

(Translation.)

Sir, *Palace, June* 6, 1865.

I HAVE the honour to inform your Excellency, in answer to your note of the 15th ultimo, relative to the assumption of the Mexican flag by the Spanish steamer "*Ciceron*," that the Consul of Spain at Vera Cruz has this day been instructed to furnish such information as he can obtain relative to the legality of the change of flag referred to.

I await, &c.
(Signed) A. BENAVIDES.

No. 141.

Sir J. Crampton to Earl Russell.—(*Received July* 14.)

My Lord, *Madrid, July* 9, 1865.

I HAVE the honour to inclose the report of a speech made by Marshal O'Donnell in the Spanish Senate yesterday, in reply to a question put to him by the Marquis de Manzanedo respecting slavery in the Island of Cuba.

Your Lordship will observe with satisfaction that, in the course of his observation, Marshal O'Donnell declared that "what the Spanish Government is resolved upon is, that the Slave Trade shall be put an end to, because both the honour of the Spanish nation and the tranquillity of the Colonies in question is interested in the matter;" and his Excellency adds, that "if the present law is not sufficient for the purpose, a Bill will be submitted by the Government to the Cortes for the more effectual attainment of that object."

With respect to slavery in Cuba, a question in regard to which it appears, from the remarks of the Marquis de Manzanedo, considerable alarm now exists, Marshal O'Donnell declared that, although the Government is determined to respect the existing state of property in the Colonies, they nevertheless recognize the necessity of studying certain questions relative to slavery, in order that Spain may not find herself unprepared to meet and deal with events which may possibly occur in the Colonies in question.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 141.

Speech of Marshal O'Donnell in the Spanish Senate on the 8th July, 1865, *on the subject of Slavery in Cuba.*

(Translation.)

THE Marquis of Manzanedo: I wish to ask the President of the Council of Ministers, who is now in provisional charge of the Colonial Department, to give some explanations which may put an end to the alarm produced by certain explanations given in this high body and in Congress, in respect of the political laws which may be thought expedient for that island, as also in respect of slavery; because they have given rise to such alarm there, that very influential persons and owners of large capital have felt it necessary to carry it away from that place, and to transfer the same to the United States; so that in the space of fifteen days, from six to eight millions of dollars have gone away, and the exchange upon Paris and London was 17 per cent. on the 15th of June, when the post left, whereas it has been usually from five to six. I should, therefore, be glad, as I said before, that you would give some explanations, as it is a question of interest so great that they must be attended to.

The President of the Council: I do not understand, gentlemen, how so much alarm can have been caused by the speeches delivered in this and the other Legislative Body by my political friends in treating of our Colonial possessions; for nothing more was said than that it was necessary to consider seriously of the improvements which were to be effected in the government of those possessions. And this is no new idea; because when I had the honour, on another occasion, to be President of the Council of Ministers and Minister of the Colonies, I stated that my intention, as to the government of our Colonial possessions, was that gradually, prudently, and without precipitation, taking into account the diverse elements composing that population, the government of those provinces should be assimilated to that which prevails in the rest of the monarchy, without giving rise to any alarm; and such could not assuredly be produced, because the inhabitants of that island, at whose head I had the honour to be for four years and a half, know that I am sufficiently acquainted with it, that therefore its necessities are not unknown to me, and that consequently I shall not propose to Her Majesty anything which is not compatible with the true interests of that country.

I can, therefore, assure the Marquis of Manzanedo, and especially the inhabitants of our provinces beyond sea, that in whatever the Government shall do in respect of the improvements which it may think necessary to be introduced, neither public tranquillity nor material interests shall have reason to be dissatisfied with the steps which the Government may take, relying always upon the Legislative Bodies, which is a guarantee that it will exercise prudence, and act with the utmost consideration.

Slavery also has been mentioned, and upon this subject I can solemnly declare that

the Government is resolved to respect property as it is constituted in those countries; but that it does not hide from itself, nevertheless, that it is necessary to study certain questions in order that we may not, through events which may occur, be taken unprovided with the means necessary for meeting them; but I repeat that the Government will not proceed to do anything without precautions and without the tact which is requisite to avoid damaging the interests of those countries or alarming property.

What the Government has determined is that the Slave Trade shall cease, because the honour of the Spanish nation and the tranquillity of those countries are interested in the matter, and if the existing law is insufficient to effect this, a bill shall be proposed in due time to the Legislative Bodies for the attainment of this object, because I believe that this is a duty incumbent on the Spanish nation, and a security for the tranquillity of those countries, and that thereby it will get rid of a cause which may lead to difficulties and even international hazards [compromises].

I think what I have said will be sufficient to tranquillize those inhabitants, giving them the assurance that they have nothing to fear from the measures which may be adopted, and that these cannot in any manner be prejudicial to them, because all the reforms will have to be made, as I said before, with the knowledge of the Legislative Bodies, so that nothing may be done which is not marked with the seal of due maturity and preparation. I do not think it requisite to enter into further details, as well because what has been said appears to me to be sufficient for the moment, and because this matter more properly belongs to the Minister of the Department.

Marquis of Manzanedo: I return thanks to the President of the Council of Ministers, being of opinion that men's minds will be in some measure tranquillized by those explanations.

The President: This subject is concluded.

No. 142.

Earl Russell to Mr. West.

(Extract.) *Foreign Office, July* 25, 1865.

WITH reference to Sir J. Crampton's despatch of the 7th of November last, inclosing a copy of the note, which by my directions he addressed to the Spanish Minister for Foreign Affairs, conveying the request of Her Majesty's Government that the appointment of Señor Toca as Spanish Judge in the Mixed Commission Court at Havana might be revoked, I transmit to you, for your information, the accompanying copies of a correspondence which has passed between this office and M. Comyn, the Spanish Minister at this Court, upon the subject.

You will take an opportunity of stating to Señor Bermudez de Castro that the suppression of the Slave Trade in Brazil, and the abolition of slavery in the United States of America, are facts which place in an odious light the Traffic in Slaves kept up by the constant evasions of her Treaty engagements by Spain.

Inclosure 1 in No. 142.

Señor Comyn to Earl Russell.

(Translation.)

My Lord, *Legation of Spain, London, June* 3, 1865.

BY order of the Government of the Queen, my august Sovereign, I have the honour to inform your Excellency that the Captain-General of Cuba has named Don Rafael de Toca, Spanish Judge of the Mixed Court of Justice established at Havana, a distinguished and deserving person, in place of Don José Manuel Espelius, who had resigned that office.

The said nomination was made by that superior authority in the exercise of the powers conferred upon him, and in strict conformity with the provisions of Annex B of the Treaty of 1835, and was confirmed by Her Majesty the Queen by a Royal Order of the 13th September last.

In these circumstances, when Don Rafael de Toca was in full possession of his office, Her Majesty's Government received a note from Sir John Crampton, dated the 6th of November, in which, by your Excellency's directions, he expressed the wish that the choice made might not be approved, but without giving any reason in support of his request. This circumstance, and that above-mentioned, that Señor Toca is in possession of his office, together with the favourable repute of Señor Toca in Havana, render it

impossible for Her Majesty's Government to gratify that of Her Britannic Majesty on this occasion, and it has instructed me to intimate the same to your Excellency.

I take, &c.

(Signed) JUAN S. COMYN.

Inclosure 2 in No. 142.

Earl Russell to Señor Comyn.

(Extract.) *Foreign Office, July* 12, 1865.

I HAVE the honour to acknowledge the receipt of your letter of the 3rd instant, stating the reasons which render it impossible for the Government of Her Catholic Majesty to accede to the request which I instructed Her Majesty's Minister at Madrid to make to the Spanish Government, to the effect that Señor Don Rafael de Toca, who had been nominated by the Captain-General of Cuba to the post of Judge in the Mixed Commission Court at Havana might not be confirmed in that appointment.

The circumstances under which Her Majesty's Government instructed Her Majesty's Representative at Madrid to remonstrate against the appointment of Señor de Toca to the post in question are as follows:—

In the month of August last Her Majesty's Government received a despatch from Mr. J. V. Crawford, the Acting British Commissary Judge at Havana, reporting that the Spanish Judge Don José Manuel Espelius had resigned his appointment, and that the Captain-General of Cuba had nominated Don Rafael de Toca to the vacant post.

In making this announcement Mr. Crawford stated that the appointment made by the Captain-General was not in conformity with the stipulations of the Treaty of 1835, and that the communication announcing it to him was made, not in the usual way by the Captain-General himself, but by his Secretary; and he added that the Captain-General's selection was a most unfortunate and objectionable one, inasmuch as Señor Toca was the nephew of the late notorious slave-trader, Don Joaquin Gomez.

I think it right to add that Mr. Bunch, who shortly afterwards was appointed by Her Majesty's Government to the post of British Judge in the Mixed Commission Court and Consul-General at the Havana, in writing on this subject also stated that Señor de Toca had himself, until within the last few years, been deeply implicated in the Traffic in Slaves.

There were two grounds, therefore, on which Her Majesty's Government, at the time I instructed Sir J. Crampton to make a communication to the Spanish Government on this subject, felt themselves justified in remonstrating against Señor Toca's appointment.

1. Because the Treaty of 1835 specially provides for the filling up of any vacancy that may occur in the Mixed Commission Courts, and the appointment of Señor Toca by the Captain-General was made in violation of the provisions of that Treaty; and

2. On account of the unfitness of the person selected for the appointment.

In support of the first ground of objection I would beg leave to point out that the 3rd paragraph of Article IX of Annex B of the Treaty of 1835 provides as follows:—

"Thirdly. On the part of Spain, and in that Court which shall sit within the Possessions of Her Catholic Majesty, if the vacancy be that of the Spanish Judge his place shall be filled by the Spanish arbitrator, and either in that case, or in the case where the vacancy be originally that of the Spanish arbitrator, the place of such arbitrator shall be filled successively by the Governor or Lieutenant-Governor resident in such Possession, by the principal Magistrate of the same, and by the Secretary of the Government; and the said Court so constituted as above shall sit, and in all cases brought before them for adjudication shall proceed to adjudge the same and pass sentence accordingly."

It will be seen, therefore, that the Treaty specially provided for the vacancy that occurred by the resignation of the Spanish Judge, and as no appointment by the Captain-General of Cuba could override the stipulations of the Treaty, the appointment by that officer of Señor de Toca to the post of Spanish Judge in the Mixed Commission Court was null and void.

The Royal Order of the 13th of September last nominating Señor Toca to the post in question, it is true remedied the irregular proceeding on the part of the Captain-General, but had any case come for decision before the Mixed Commission Court at the Havana, and been adjudicated upon by Señor de Toca before he had been appointed to the post of Judge by the Government of Her Catholic Majesty, Her Majesty's Government maintain that the proceedings of the Court would have been illegal, and its decisions could not have been maintained.

I cannot doubt that the Government of Her Catholic Majesty on referring to the

provisions of the Treaty of 1835, will concur in the view taken by Her Majesty's Government of this matter, and will issue instructions accordingly for the guidance of the Captain-General of Cuba.

With regard to the question of the fitness of Señor de Toca to fill the post to which he has been nominated, Her Majesty's Government feel that they have done their duty in bringing to the notice of the Government of Her Catholic Majesty the substance of the reports they have received connecting Señor Toca's name with the Traffic in Slaves.

I did not in the first instance instruct Her Majesty's Minister at Madrid to remonstrate against the appointment of Señor de Toca on any other ground than that the nomination by the Captain-General of Cuba to the post of Judge was in violation of the provisions of the Treaty of 1835, and I have only now to add that if the Government of Her Catholic Majesty have satisfied themselves that Señor de Toca is a fit and proper person to carry out the provisions of the Treaty between the two countries for the suppression of the Slave Trade, Her Majesty's Government will offer no further objection to this appointment.

No. 143.

Earl Russell to Mr. West.

Sir, *Foreign Office, July* 25, 1865.

I TRANSMIT herewith, for your information, a copy of a despatch from Her Majesty's Consul-General at the Havana,* containing some observations relative to a report that appeared in some of the English newspapers to the effect that fears were entertained in Cuba of an outbreak among the slaves in that island.

I am, &c.
(Signed) RUSSELL.

No. 144.

Earl Russell to Mr. West.

Sir, *Foreign Office, July* 31, 1865.

WITH reference to my despatch of the 2nd ultimo to Sir J. Crampton, reporting the condemnation of the Spanish vessel "*America*" by the Mixed Commission Court at Sierra Leone, I transmit to you for your information a copy of a despatch from Her Majesty's Consul at Teneriffe,† stating that the master and crew of the "*America*" have been acquitted by the Audiencia of Grand Canary, before whom they were sent for trial on the 13th of September last.

I am, &c.
(Signed) RUSSELL.

No. 145.

Earl Russell to Mr. West.

Sir, *Foreign Office, August* 7, 1865.

I TRANSMIT to you, for your information, a copy of a despatch from Her Majesty's Judge at Havana,‡ reporting the movements of the late notorious slave steamer "*Ciceron*," now the Mexican ship "*Margarita Quintero*."

I am, &c.
(Signed) RUSSELL.

No. 146.

Earl Russell to Mr. West.

(Extract.) *Foreign Office, August* 17, 1865.

HER Majesty's Government are informed that for a year past the Cuban Slave Trade has greatly diminished, and indeed has hardly existed, and that this improved state of

* Class B, No. 186. † No. 210. ‡ Class A, No. 18.

things is owing in a great measure to the zeal and energy with which the Captain-General has acted in carrying out the engagements of the Spanish Crown for the suppression of the Cuban Slave Trade.

No. 147.

Earl Russell to Mr. West.

Sir, *Foreign Office, August* 28, 1865.

I TRANSMIT to you herewith a copy of a despatch from Her Majesty's Consul-General in Cuba,* inclosing copies of a letter from the Secretary to the Government of the island, and of Mr. Bunch's reply, relative to a complaint on the part of the Captain-General that the Slave Trade papers presented to Parliament during the late Session contain an exaggerated return of the number of slaves introduced into Cuba during the past year.

I also inclose a copy of a despatch which I have addressed to Mr. Bunch,† explaining the cause of the inaccuracies of which the Captain-General complains.

I have to desire that you will communicate copies of this correspondence to the Spanish Government, and in doing so you will state that Her Majesty's Government do not doubt that the Government of Her Catholic Majesty will recognize in the communication which Mr. Bunch is instructed to make to the Captain-General of Cuba, a proof of the anxiety of Her Majesty's Government to do as full justice to the earnest desire of General Dulce for the suppression of the Cuban Slave Trade as they wish to do to the exertions of British cruizers in this most important matter.

I am, &c.
(Signed) RUSSELL.

No. 148.

Mr. West to Earl Russell.—(Received August 31.)

My Lord, *Madrid, August* 19, 1865.

I HAVE the honour to inclose to your Lordship herewith copy and translation of a note which I have received from the Spanish Government in answer to the communication made by Sir John Crampton in his note of the 22nd of April last respecting the steamer "*Ciceron*."

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 148.

Señor de Castro to Mr. West.

(Translation.)

Sir, *The Palace, August* 12, 1865.

THE Minister of Marine, to whom as you are aware was duly communicated the note of your Legation of the 22nd of April last, informs me that as the cognizance of actions instituted against persons who may engage in the Traffic of Slaves belongs to the ordinary jurisdiction, he has transmitted to the Captain-General of the Department of Cadiz all the communications which were forwarded to him by this Ministry relating to the Spanish steamer "*Ciceron*," against which, it appears, there are already proofs of its having been engaged in so illegal a trade, in order that the documents referring to this case having been forwarded to the Senior Judge of First Instance in the city of Cadiz, from which place the vessel alluded to last proceeded, proceedings may forthwith be instituted in conformity with justice against whatever may have taken place.

In reporting to you the above decision, I flatter myself that the British Government will admit that Her Majesty's Government have on their side done all that is legally possible towards prosecuting and punishing those persons who engage in the illicit and reprobated Traffic in Slaves.

Availing, &c.
(Signed) M. BERMUDEZ DE CASTRO.

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* No. 190. † No. 191.

No. 149.

Earl Russell to Mr. West.

Sir, *Foreign Office, September* 15, 1865.

I TRANSMIT to you, for your information, a copy of a note which I have received from Mr. Adams, &c., stating that his Government has learnt that a cargo of 400 African slaves was landed between the 28th and 30th of July last at La Enseñada de Cochinos, to the westward of Cienfuegos in the Island of Cuba, and that Mr. Bunch, Her Majesty's Judge at the Havana, intended to call the attention of the Captain-General to this matter.

I am, &c.
(Signed) RUSSELL.

Inclosure in No. 149.

Mr. Adams to Earl Russell.

My Lord, *Legation of the United States, London, September* 5, 1865.

I HAVE the honour to inform you that by a despatch of the 5th of August, received by the Secretary of State at Washington from the United States Consulate at Havana, it would appear that from the 28th to the 30th of July last a cargo of 400 negroes from Africa was landed at La Enseñada de Cochinos, a place about fifty miles to the westward of Cienfuegos. It is also stated that Mr. Bunch, Her Majesty's Consul-General, who did not appear to have been apprised of the fact, on being informed of it, promised to call the attention of the Captain-General to it.

I am directed by the Secretary of State to make this statement known to your Lordship.

I have, &c.
(Signed) CHARLES FRANCIS ADAMS.

No. 150.

Earl Russell to Mr. West.

Sir, *Foreign Office, September* 23, 1865.

I TRANSMIT to you, for your information, a copy of a despatch which I have received from Her Majesty's Judge at the Havana,* stating that intelligence has reached him that the Mexican steamer "*Margarita Quintero*," late "*Ciceron*," is about to leave that port ostensibly to procure a cargo of coolies from China, but in reality bound for the African coast.

I am, &c.
(Signed) RUSSELL.

No. 151.

Mr. West to Earl Russell.—(*Received September* 29.)

My Lord, *Madrid, September* 25, 1865

I HAVE the honour to inclose to your Lordship herewith translation of the notice inserted in the Madrid Gazette of the 17th instant, of the issue of a Royal Order to the Civil Governor of Cuba, expressing the Royal satisfaction at the measures taken for the suppression of the Slave Trade. I may remark to your Lordship that this Royal Order was not published *in extenso* in the usual manner, but only appeared as a Resolution of the Colonial Department.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 151.

Extract from the Madrid Gazette of September 17, 1865.

CUBA.—ROYAL Order to the Supreme Civil Governor, informing him that Her Majesty has seen with satisfaction the rigorous manner in which the international Treaties having reference to the Traffic in Slaves are being carried out, and that he is redoubling and exhausting all the precautionary and active measures in his power, by proposing such as he thinks suitable for effecting the total extinction of that Traffic.

No. 152.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, October* 18, 1865.

WITH reference to my despatch to Mr. West of the 23rd of August last, I transmit to you for your information a copy of a further despatch from Her Majesty's Consul-General at Havana, relative to the movements of the "*Margarita Quintero*," formerly the Spanish steamer "*Ciceron*." *

I am, &c.
(Signed) RUSSELL.

No. 153.

Earl Russell to Sir J. Crampton.

Sir, *Foreign Office, October* 28, 1865.

I TRANSMIT to you, for your information, a copy of a despatch from Her Majesty's Commissioner at Loanda,† reporting that a Spanish vessel had embarked, about the 10th of August last, a cargo of slaves between Ambrizette and Mangue Grande on the West Coast of Africa, and had succeeded in safely eluding the vigilance of Her Majesty's cruizers.

I am, &c.
(Signed) RUSSELL.

No. 154.

Sir J. Crampton to Earl Russell.—(Received November 5.)

(Extract.) *Madrid, October* 29, 1865.

I HAVE the honour to transmit to your Lordship an extract from this day's Official Gazette of Madrid, containing a very important Royal Decree upon the subject of negro slavery in the Spanish Colonies, preceded by an "Esposicion" or address to Her Catholic Majesty, signed by Señor Carovas y Castillo, the Minister of the Colonies, both stating the objects of the Decree, and recommending the adoption of further measures of the same nature, which he has prepared for the consideration and sanction of the Cortes.

Your Lordship will at once perceive, that if the provisions of this Decree are faithfully observed, and still more, if the views and intentions expressed in the "Esposicion" are put into execution, a great deal will have been effected towards the final extirpation of the inhuman traffic which has so long disgraced the Administration of the Spanish Colonies.

The principal feature of the present Decree is, that it does away with the system by which illegally imported negroes, on being seized by the authorities, are hired out by the Government, and distributed among the proprietors under the name of "emancipados," that is to say, nominally as free men, but to almost all intents and purposes, as slaves under another denomination.

Negroes under these circumstances will, it is now enacted, be sent as free men to other Spanish Colonies where slavery does not exist, or, at their choice, be taken back to the countries from which they were originally exported by the slave dealers.

One strong motive on the part of the planters of Cuba for encouraging the importation of negroes will thus be removed. As the matter now stands, it matters in reality little to those engaged in the cultivation of the island, as a body, whether a cargo of slaves is seized by the Spanish authorities or not. The same amount of negro labour is acquired, and

* No. 193. † Class A, No. 45.

your Lordship is aware how very slight, as far as real liberty or humanity of treatment is concerned, is the difference between the condition of the hired-out "emancipado" and the slave.

Inclosure 1 in No. 154.

Extract from the Madrid "Gazette" of October 29, 1865.

MINISTRY OF THE COLONIES.

Exposition to Her Majesty.

(Translation.)

Madam,

THE extinction of Slave Trade in the Islands of Cuba and Puerto Rico is the most imperious of all the duties devolving on the Government in the administration of those provinces. If the importation of slaves from Africa is not put a stop to in all particulars it will be useless to look for a solution in a conservative or pacific sense to the difficult problem of slavery; sooner or later there would be forced on those provinces, and on your Majesty's Government, a revolutionary solution which would defeat and for ever destroy the interests, moral and material, of our race in the Antilles.

Deeply convinced of this, the present Cabinet included in its political programme the project, which it now begins to carry into effect, of submitting to your Majesty as many measures as circumstances may render indispensable for the extinction of a Traffic no less prejudicial than it is inhuman. Some of them are such as cannot be dictated without the co-operation of the Cortes, and the Government will submit to them for their consideration in the ensuing session a Project of Law, in which the deficiencies of the Penal Law of 1845 will be supplied, and its responsibilities so far increased as to recognize as acts of real piracy many of those now committed with the object of carrying out and favouring in our dominions the Traffic in Slaves.

The coast guard is another means of repression which is now employed with perseverance and favourable results, and all that is required is to redouble its efficiency by increasing the number of vessels employed on this service in the American seas, for which purpose the Government has already taken the necessary steps.

But, Madam, the authority of the Penal Law and the vigilance of the coast guard are not sufficient; it is necessary that the evil should be sought out and followed up to its very foundation, and this will be the object of further administrative measures already prepared, and contained in the present Decree.

Nothing in the complicated question under consideration requires a more prompt solution than the lot of those negroes who have been emancipated and rescued from slavery by the Spanish authorities and forces.

These individuals now free only remain under the protection of the Administration for a period which cannot be an indefinite one, and it is necessary that they should recover the free disposal of their actions as soon as the interests created by their legal position will permit it. There is no reason whatever on these grounds for placing any restriction on the liberty of the negroes lately captured from the moment they are transported as free by the Government to any Spanish possession where slavery does not exist. The regulations generally applied to free labourers of their class are, further, the only ones by which they are to be governed in cases where they may not elect to be transported to the country of their birth.

Now is the time, Madam, for applying those principles with respect to the 103 freshly-arrived negroes, victims of this Traffic, which the supreme authority of Cuba, with its indefatigable zeal, captured in the month of September last, by transporting them to Fernando Po, where the laws do not allow of slavery; they can there choose between returning to the Continent of Africa, or remaining in that island to be hired out as free labourers.

The remaining emancipated negroes at present in the Spanish provinces of the Antilles deserve equal protection, and ought to obtain it from the day on which their present allowances terminate; and these according to present regulations, cannot be continued beyond five years. The negroes then returning to the depôt for the purpose of being employed solely on public works, the Government might then leave in perfect liberty as many as have completed their five years' residence in the Islands of Cuba and Porto Rico, permitting them to remain in the islands under the same conditions as other free negroes of the same class, or else transport them to other places which they themselves may designate.

From the moment the Government leaves the emancipated negroes complete liberty in the disposal of their actions, nothing further can be required from it; but still the fate of these unfortunate beings deserves all possible protection as long as they reside in the Spanish dominions, the benevolent provisions of the Treaty of June 28, 1835, sufficing for this purpose at the proper time, both as regards the emancipated negroes comprehended by that Treaty, and those who are to be exclusively governed by the laws of Spain, in consideration of the manner and place of their capture.

In proposing to your Majesty an act so in unison with the noble sentiments of your august mind, your Government flatters itself with the hope that it will serve as an unanswerable proof of the good faith with which it proposes to carry out the solemn engagements which, no less than its own conviction, and the good name of the Spanish nation, require it to prosecute and brand with the mark of its signal reprobation the Traffic in Slaves.

These measures will further serve as an evident proof of the special and unwearying attention given by your Majesty's Government to the difficult and delicate questions which have, with resolution and prudence at the same time, to be solved in the Colonial provinces; and in consideration of these reasons, and in conjunction with the Council of Ministers, the Undersigned has the honour to submit for your Majesty's approval the following project of a Decree.

Madam, &c.

(Signed) ANTONIO CANOVAS DEL CASTILLO.

Royal Decree.

IN consideration of the reason explained to me by my Colonial Minister, and in accordance with my Council of Ministers,

I have decreed as follows :—

Article 1. The 103 freshly-arrived negroes landed from a Portuguese vessel, and captured by the authorities in the Island of Cuba, in the month of September last, at a place called "The Cat" (El Gato), on the frontier of the jurisdiction of St. Cristobal and Pinar del Rio, shall be transported, at the expense of the Government, to the Island of Fernando Po, or to any other of the Spanish possessions in the Gulf of Guinea.

Art. 2. There shall also be transported to the same possessions, after the publication of this Decree, all negroes who may be captured by the Spanish authorities or forces, of any class whatever, in due accordance with the Treaties with foreign nations, and those laws and resolutions of the kingdom which prohibit the Slave Trade.

Art. 3. A special rule shall determine the conditions upon which slaves at present in the Islands of Cuba and Puerto Rico may pass from one island to the other, or through the interior. All negroes who may be captured, who do not present these conditions and cannot be proved to be vagrants, are to be comprehended under the provisions of Art. 2 of the present Decree.

Art. 4. The transportation of the negroes referred to in the three preceding Articles, shall be carried into effect immediately upon the competent tribunals or authorities declaring them emancipated, and placing them at the disposal of the Supreme Civil Governors. The Government of Her Majesty will take proper steps for making this declaration with as little delay as possible, no matter what the nature or character of the proceedings instituted in virtue of the capture.

Art. 5. Negroes transported to the Spanish possessions in the Gulf of Guinea shall, on their arrival there, become completely free, and shall be conveyed to the port they may choose on the coasts of the African continent, unless they should prefer remaining in the Spanish possessions under the protection of the Government; or be contracted for as free labourers, in the same manner as the "Kruman" negroes, and for the period determined by the regulations.

Art. 6. When the negroes who have been transported choose, in the exercise of their freedom, to remain in Fernando Po, or in any other of the possessions above specified, the Spanish authorities shall take care to carry into effect the humane provisions of Annex C to the Treaty of June 28, 1835, and faithfully to carry out, in the case of those negroes who have been emancipated by a sentence of the Mixed Courts of Justice, as well as of those who have been emancipated by the Spanish Courts, the provisions of Articles I and IV of the above-mentioned Annex, and the regulations of the Government relative to the emancipated slaves who have obtained their papers of freedom in the Islands of Cuba and Puerto Rico.

Art. 7. The permission conceded to the Supreme Civil Governors in those Colonial

possessions where slavery exists, of consigning emancipated negroes, is hereby revoked from this date.

Art. 8. According as the terms of consignments at present existing expire, the emancipated negroes shall be received into the depôt, where the Government shall take care that they are provided with the necessary means of subsistence and remuneration, employing them on the public works in obligatory labour as long as they remain in that state.

Art. 9. The Government may pronounce completely free all emancipated negroes who may enter the depôt, and who have passed more than five years in the Islands of Cuba and Porto Rico, authorizing them to remain in the islands under the conditions fixed by the regulations, or conveying them to one of the Spanish possessions in the Gulf of Guinea, or any other place which they may themselves select.

Art. 10. It is forbidden to exceed the limits of the existing consignments. The actual legal proprietors of the emancipated slaves will for the future be the only ones responsible to the Government for the fulfilment of all the obligations imposed by the consignment.

Art. 11. The Minister for the Colonies will draw up the necessary instructions for carrying into execution the present Royal Decree with the utmost exactitude and speed.

Given at San Ildefonso, 27th October, 1865.

(Signed Regiâ Manu.)

Minister for the Colonies:

(Countersigned) Antonio Canovas del Castillo.

No. 155.

Sir J. Crampton to Earl Russell.—(Received November 5.)

My Lord, *Madrid, October* 31, 1865

WITH reference to your Lordship's despatch of the 3rd June, 1864, I have the honour to inclose translation of a note which I have received from the Spanish Minister for Foreign Affairs, respecting the slaver "*Virgen del Refugio*," in which his Excellency states that it results from the investigation made in the Port of Cadiz as to the preparations which that vessel made for going to sea, that there is cause to suspect the proprietor of being engaged in the Slave Trade; and that as this is a matter of which the ordinary tribunals are cognizant, steps have been taken to obtain evidence of the crime in order to bring the case before the ordinary Judge of that city. It being desirable that as many proofs as possible should be brought to bear upon the case, his Excellency is of opinion that it would be well if Her Majesty's Government were to furnish Her Catholic Majesty's Government, either in original or in copy, with all the documents found on board the vessel in question, and with the evidence contained in the depositions of the crew.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 155.

Señor de Castro to Sir J. Crampton.

(Translation.)

Sir, *San Ildefonso, October* 19, 1865.

AS a supplement to the note which I had the honour to address to you on the 30th of June, in reply to one from you of the 8th of the same month, relative to the seizure of the Spanish brigantine "*Virgen del Refugio*," I must now inform you, with reference to information supplied by the Ministry of Marine, that there having resulted from the *procès-verbal* drawn up in the Port of Cadiz for the purpose of verifying the preparations made by this vessel when fitting out for sea, grounds for suspecting the owner of the same to have been a party in the Negro Trade, to which he appears to have been in the habit of devoting himself, and such cases being under the cognizance of the ordinary tribunals, the Marine Court of Cadiz has resolved that evidence with respect to the offence should be taken, for the purpose of transmitting it without delay to the Ordinary Judge of that city, under whose jurisdiction the case falls, in order that he may proceed to the legal consequences, and that the Maritime Jurisdiction may exact from the captain of the said brigantine the responsibility which falls on him, civil as well as criminal, for his illegal navigation, exacting the same responsibility from the issuer of the Royal Patent.

But in order that in the case, which is being drawn up, the greatest possible amount of proof may be supplied, it will be very expedient that Her Britannic Majesty's Government should supply the Government of Her Catholic Majesty with all the documents, in original and in copy, found on board the vessel in question, as well as with the evidence of the depositions made by the crew when it was captured.

I cannot conclude without first remarking to you, in order to remove an idea expressed in your note of the 8th of June, that the vessels employed in the Slave Trade cannot possibly fit themselves out at Cadiz with all the necessaries for so reprehensible a Traffic, not only because there are no establishments of that kind there, but also because the extreme vigilance of the authorities would be able to prevent, as far as human foresight is able, the above-mentioned port being converted into a point for planning and organizing slave expeditions.

I avail, &c.
(Signed) M. BERMUDEZ DE CASTRO.

No. 156.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, November* 7, 1865.

I TRANSMIT herewith, for your information, a copy of a despatch from Mr. Bunch, Her Majesty's Judge in the Mixed Commission Court at the Havana,* containing his Report upon the Cuban Slave Trade for the period comprised between the 1st October, 1864, and 30th September, 1865.

I am, &c.
(Signed) CLARENDON.

No. 157.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, November* 10, 1865.

I TRANSMIT to you herewith copies of two despatches from Her Majesty's Consul-General at the Havana,† reporting the landing of a cargo of slaves on the Cuban coast, and their subsequent capture by the Spanish authorities.

I also inclose a copy of a despatch addressed by Earl Russell to Mr. Bunch,‡ bearing testimony to the energy and good faith with which General Dulce, the present Captain-General of Cuba, has acted in carrying out the engagements of the Spanish Crown for the suppression of the Cuban Slave Trade, and I have to desire that you will make a similar communication to the Spanish Government.

I am, &c.
(Signed) CLARENDON.

No. 158.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, November* 10, 1865.

I HAVE received your despatch of the 31st ultimo, addressed to Earl Russell, inclosing a copy of a note from the Spanish Government requesting to be furnished with the originals, or copies of any documents found on board the Spanish slaver "*Virgen del Refugio*," with the view to their being used in evidence against the owners and other parties connected with this vessel.

I have to instruct you to state to the Spanish Minister that the "*Virgen del Refugio*" having been captured by a Portuguese cruiser with slaves on board, in Portuguese waters, all the documents connected with this vessel are in the hands of the Portuguese authorities, to whom, therefore, it will be advisable that the Spanish Government should apply for any information they may require to enable them to prosecute the parties connected with this Slave Trading transaction.

With reference to the concluding paragraph of Señor Bermudez de Castro's note, in

* Class A, No. 18. † Nos. 194 and 195. ‡ No. 197.

which his Excellency takes exception to the statement contained in your note of the 8th of June last, with regard to the facilities afforded at Cadiz for the equipment of slave-vessels, I have to observe, that nearly all the vessels captured by Her Majesty's cruizers during the last three years having been found to have equipped at and sailed from Cadiz, it is to be inferred that the chief promoters of the Slave Traffic were established, or had their agents at that port, or else that the slave-dealers found facilities for equipping their vessels there that they did not find at other ports.

I am, &c.
(Signed) CLARENDON.

No. 159.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, November* 10, 1865.

I HAVE received your despatch of the 29th of October, inclosing a copy of the important Decree respecting negro slavery in the Spanish Colonies promulgated by Her Catholic Majesty on the 27th of that month.

I have to instruct you to express to the Spanish Minister for Foreign Affairs the great satisfaction with which Her Majesty's Government have received this evidence of the determination of the Queen of Spain, and of her Government, to extinguish the Slave Trade in the Spanish Colonies.

Her Majesty's Government hope that the wise and humane intentions of the Spanish Government will be carried into full effect by the authorities in Cuba and Puerto Rico.

I am, &c.
(Signed) CLARENDON.

No. 160.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, November* 10, 1865.

I HAVE to instruct you to acquaint the Spanish Government that the Queen has been graciously pleased to appoint Mr. William Follett Synge to succeed Mr. Robert Bunch as Judge in the British and Spanish Mixed Commission Court established at the Havana, under the provisions of the Treaty of the 28th June, 1835, between Great Britain and Spain for the suppression of the Slave Trade.

In announcing this appointment to the Spanish Government, I have to desire that you will at the same time request that the necessary instructions may be issued for the recognition of Mr. Synge in his character as Judge by the Cuban authorities.

I am, &c.
(Signed) CLARENDON.

No. 161.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, November* 18, 1865.

WITH reference to my despatch to Mr. West of the 28th of August last, I transmit, for your information, the accompanying copy of a despatch from Her Majesty's Consul-General in Cuba,* inclosing copies of a correspondence with the Captain-General of that Island on the subject of certain inaccuracies which appeared in the papers relating to the Slave Trade presented to Parliament during the last session.

I am, &c.
(Signed) CLARENDON.

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* No. 193.

No. 162.

Sir J. Crampton to the Earl of Clarendon.—(Received November 25.)

My Lord, *Madrid, November 16, 1865.*

I HAVE the honour to inclose copy of a note which, in obedience to the instructions contained in your Lordship's despatch of the 10th instant, I have addressed to the Spanish Minister for Foreign Affairs, informing him that Her Majesty's Government has appointed Mr. W. W. Follett Synge to succeed Mr. Robert Bunch as Judge in the British and Spanish Mixed Commission Court at the Havana, and requesting that instructions may be given for Mr. Synge's recognition in that character.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 162.

Sir J. Crampton to Señor de Castro.

M. le Ministre, *Madrid, November 16, 1865.*

I HAVE the honour to inform your Excellency that Mr. William Webb Follett Synge, late Her Majesty's Commissioner and Consul-General in the Sandwich Islands, has been appointed to succeed Mr. Robert Bunch as Judge in the British and Spanish Mixed Commission Court established at the Havana under the Treaty of June 28, 1835, for the suppression of the Slave Trade.

In announcing this appointment to your Excellency, I am instructed by Lord Clarendon to request your Excellency to have the goodness to cause the necessary instructions to be issued for the recognition of Mr. Synge in his character of Judge by the authorities of Her Catholic Majesty in the Island of Cuba.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

No. 163.

Sir J. Crampton to the Earl of Clarendon.—(Received November 25.)

My Lord, *Madrid, November 16, 1865.*

I HAVE the honour to inclose the copy of a note which, in obedience to the instructions contained in your Lordship's despatch of the 10th instant, I have addressed to the Spanish Minister for Foreign Affairs, expressing the satisfaction of Her Majesty's Government, on becoming acquainted with the Royal Decree of the 27th October last, which gives evidence of the determination of the Queen of Spain and her Government to extinguish the Slave Trade in the Spanish Colonies.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 163.

Sir J. Crampton to Señor de Castro.

M. le Ministre, *Madrid, November 16, 1865.*

I DID not fail to acquaint Her Majesty's Government with the promulgation by Her Catholic Majesty's Government of the important Royal Decree of the 27th of October last respecting negro slavery in the Spanish Colonies.

I have now the gratification of expressing to your Excellency the great satisfaction with which Her Majesty's Government have received this evidence of the determination of the Queen of Spain and her Government to extinguish the Slave Trade in the Spanish Colonies.

Her Majesty's Government entertain the confident hope that the wise and humane intentions of Her Catholic Majesty's Government will be carried into full effect by the authorities of Cuba and Porto Rico.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

No. 164.

Sir J. Crampton to the Earl of Clarendon—(Received November 25.)

Madrid, November 17, 1865.

My Lord,

I HAVE the honour to inclose the copy of a note which, in obedience to the instructions contained in your Lordship's despatch of the 10th instant, I have addressed to the Spanish Minister for Foreign Affairs, expressing the satisfaction of Her Majesty's Government at the capture by the Spanish authorities of a cargo of slaves landed at Cape St. Antonio on the Cuban coast, and their gratification at the energy and good faith with which General Dulce has acted in carrying out the engagements of the Spanish Crown for the suppression of the Slave Trade.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 164.

Sir J. Crampton to Señor de Castro.

Madrid, November 17, 1865.

M. le Ministre,

HER Majesty's Government have received from Her Majesty's Consul-General at Havana a despatch dated the 26th of October, reporting the landing of a cargo of slaves on the south coast of the Island of Cuba, near Cape St. Antonio, and their subsequent capture by the Spanish authorities.

Her Majesty's Government have learned with much satisfaction that the only cargo of slaves which, as far as Her Majesty's Government are aware, has been landed during the last twelve months should have been seized by the Cuban authorities, and I am consequently instructed to express to your Excellency the gratification which it affords to Her Majesty's Government to bear testimony to the energy and good faith with which the Captain-General of Cuba, General Dulce, has acted in carrying out the engagements of the Spanish Crown for the suppression of the Slave Trade.

I avail, &c.

(Signed) JOHN F. CRAMPTON

No. 165.

Sir J. Crampton to the Earl of Clarendon.—(Received November 25.)

Madrid, November 17, 1865.

My Lord,

I HAVE the honour to inclose the copy of a note which, in obedience to the instructions contained in your Lordship's despatch of the 10th instant, I have addressed to the Spanish Minister for Foreign Affairs, stating that as the documents found on board the Spanish slaver "*Virgen del Refugio*" are in the hands of the Portuguese authorities, the Spanish Government should apply to that of Portugal for the information required to prosecute the parties connected with the slave-trading transactions in which that vessel was engaged, and observing that it is evident that the promoters of the Slave Traffic find facilities at Cadiz for equipping their vessels which they do not find at other ports.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 165.

Sir J. Crampton to Señor de Castro.

Madrid, November 16, 1865.

M. le Ministre,

WITH reference to the note which your Excellency did me the honour to address to me on the 19th of October, in which you suggest that Her Catholic Majesty's Government should be furnished with the originals or copies of any documents found on board the Spanish slaver "*Virgen del Refugio*," with the view to their being used in evidence against the owners and other parties connected with this vessel, I am instructed to state to your Excellency that the "*Virgen del Refugio*" having been captured by a Portuguese cruizer

with slaves on board in Portuguese waters, all the documents connected with this vessel are in the hands of the Portuguese authorities, to whom therefore it will be advisable that Her Catholic Majesty's Government should apply for any information which they may require to prosecute the parties connected with this slave-trading transaction.

With reference to the concluding paragraph of your Excellency's above-mentioned note, in which exception is taken to the statement contained in my note of the 8th of June last with regard to the facilities afforded at Cadiz for the Slave Trade, Her Majesty's Government instruct me to remark that as nearly all the vessels captured by Her Majesty's cruizers during the last three years have been found to have been equipped at Cadiz, it is to be inferred that the chief promoters of the Slave Traffic were established or had their agents at that port, or else that the slave-dealers found facilities for equipping their vessels there that they did not find at other ports.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

No. 166.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, November* 30, 1865.

I TRANSMIT herewith, for your information, a copy of a despatch from Her Majesty's Consul-General at the Havana,* reporting the formation in Cuba of a society for the suppression of the African Slave Trade, and inclosing a copy of its rules.

I am, &c.
(Signed) CLARENDON.

No. 167.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, December* 11, 1865.

I TRANSMIT herewith, a copy of a despatch from Her Majesty's Commissioner at Loanda,† reporting the capture by Her Majesty's ship "Jaseur" on the 6th of October last of a brigantine fully equipped for the Slave Trade, which is reported to have cleared from Cadiz on or about the 18th of July last, and I have to desire that you will communicate the fact of this capture to the Spanish Government, with reference to the observations which you were instructed by my despatch of the 10th ultimo to make to the Spanish Minister respecting equipment of slave vessels at Cadiz.

I am, &c.
(Signed) CLARENDON.

No. 168.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, December* 11, 1865.

I TRANSMIT herewith, for your information, copies of two despatches from the Vice Consul-General of the United States at Havana, which have been communicated to me by the United States' Minister at this Court, containing information on matters connected with the Cuban Slave Trade.

I am, &c.
(Signed) CLARENDON.

Inclosure 1 in No. 168.

Mr. Savage to Mr. Congar.

Consulate-General of the United States of America,
Sir, *Havana, September* 23, 1865.

YOUR despatch No. 67 was duly received. In reply to that part of it directing me to procure some probable evidence to sustain the representations made in my despatch

* No. 199. † Class A, No. 49.

No. 127 in reference to the reported landing of an expedition of negroes at Ensenada de Cochinos, I have the honour to say, that the report in question having been communicated by me to Her Britannic Majesty's Consul-General, he called the attention of the Captain-General to the same, by whom a thorough investigation was ordered, the result of which was that the said landing never took place. I have endeavoured to obtain from the parties who gave me the information the proof of their assertion, but they merely answer me that they obtained it from others whom they supposed to know the facts. In the absence of evidence, and after the investigation made by order of the Captain-General, we must, at least for the present, believe that the report was unfounded.

A small expedition of African negroes was landed a few days since at a place called Gato, adjacent to the districts of San Cristobal and Pinar del Rio (south side of Cuba) from a small sloop. It is believed it did not exceed 160 in number, of whom 103 have been captured, the rest must have been run into the woods, but the Captain-General, whose unceasing efforts to put an end to the nefarious Traffic are truly worthy of all praise, is confident that, notwithstanding the difficulty to be met with, owing to the character of that part of the country (the Cazo mountains) they will be found and taken. The associate justice of the Superior Court (Pellijero de Lama) has proceeded to the spot, for the purpose of initiating the necessary legal proceedings. It is understood that these negroes are tall and strong, of a tribe that has never been brought to the island, as the authorities cannot find any negroes that understand their language. One person has been arrested who is believed to be concerned in the expedition, and orders have been issued for the arrest of two others for the same reason.

The Captain-General has information of other expeditions being under weigh from Africa, and taken his measures for their capture.

The orders from the Supreme Government for the suspension of the Slave Trade lately received are very stringent, and General Dulce will carry them out to the letter.

I am, &c.

(Signed) THOS. SAVAGE.

Inclosure 2 in No. 168.

Mr. Savage to Mr. Seward.

Consulate-General of the United States of America,
Havana, November 4, 1865.

Sir,

INFORMATION was brought to me confidentially, some days since, that an expedition of about 600 negroes from Africa had been landed at a place called Malas Aguas, near the sugar plantation "Pan de Azucar," of Don Francisco Marty y Torrens,* and that this person was the owner of the cargo. The brig "*Yucatan*" (about which I wrote to the Departments months ago) is believed to be the vessel that brought the negroes (of the Macua tribe); the landing was effected very quietly. I immediately conveyed the information to Mr. Bunch, the British Consul-General, who had only the day before had a long interview with the Captain-General, and heard nothing from his Excellency upon the subject. As these reports are often circulated, sometimes founded on fact, but almost invariably not reducible to proof, Mr. Bunch and myself concluded to await for further developments before bringing the case to the knowledge of our respective Governments, or his addressing any communication to the Captain-General. Some days after the matter became one of some notoriety, and some correspondence passed between General Dulce and Mr. Bunch, which I have seen. It is very evident that the Captain-General believed that an expedition was landed somewhere, and had given very strict orders for the capture thereof.

In conclusion, I have to state that I learned last evening that about 400 negroes were found and captured at Consolacion del Sud by the Lieutenant-Governor of the district. The capture was made twice; the first time they were placed in a pen, from which they were stolen during the night, but they were again discovered and secured.

I have, &c.

(Signed) THOS. SAVAGE.

N.B. An Association has been formed under the special sanction and protection of General Dulce, the members of which pledge themselves not to acquire, directly or indirectly, any negro slave, known to be a native of Africa, and to do all in their power to

* A sort of petty king in that part of the island, owing to his immense fishery business.

form or mould public opinion against the African Slave Trade. One of the most distinguished lawyers of Havana, Doctor Antonio Gonzalez de Mendoza, connected by marriage with one of the most wealthy, intelligent, and moral families of the island, has been elected President of the Society; the 19th of the present month (the Queen's Patroness Saint's day) has been fixed for the inauguration and other proceedings. Many influential gentlemen have already inscribed their names as members.

T. S.

No. 169.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, December* 13, 1865.

WITH reference to my despatch of the 11th instant, inclosing copies of two letters from the Vice Consul-General of the United States at Havana, containing information relative to a reported landing of slaves in Cuba, I now transmit, for your information, copies of a despatch and its inclosures from Her Majesty's Consul-General at the Havana respecting this affair.*

I am, &c.
(Signed) CLARENDON.

No. 170.

Sir J. Crampton to the Earl of Clarendon.—(Received December 15.)

My Lord, *Madrid, December* 9, 1865.

WITH reference to my despatch of the 17th ultimo, inclosing copy of a note which I had addressed to the Spanish Minister for Foreign Affairs, stating the satisfaction with which Her Majesty's Government had learned the capture by the Cuban authorities of a cargo of slaves landed near Cape San Antonio, and their appreciation of the energy and good faith with which General Dulce had carried out the engagements of the Spanish Crown, I have now the honour to forward to your Lordship a copy and translation of his Excellency's reply to my communication.

Señor Bermudez de Castro observes that this incident offers the most evident proof of the activity with which General Dulce suppresses the Slave Trade, because the cargo of slaves in question is the only one which arrived in Cuba within the last twelve months; and adds that General Dulce in this does no more than second the desires of Her Catholic Majesty's Government for the complete extinction of the Slave Trade.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 170.

Señor de Castro to Sir J. Crampton.

(Translation.)

Sir, *Palace, December* 7, 1865.

I HAVE had the honour to receive the note which you have had the goodness to address to me, dated the 19th of November last, expressing the satisfaction with which your Government have learnt the capture of a cargo of slaves, effected at its disembarkation, by the Spanish authorities of the Island of Cuba.

This event is the most evident proof of the energy and activity with which General Dulce carries out the Treaty, since the cargo which has been captured near Cape St. Antonio is the only one which has reached the Island of Cuba during the last twelve months; and in pursuing such conduct the Captain-General of that island has only seconded the wishes and executed the orders which he has received from the Government Her Majesty for the complete extinction of the inhuman Traffic in Slaves.

I avail, &c.
(Signed) M. BERMUDEZ DE CASTRO.

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* No. 201.

No. 171.

Sir J. Crampton to the Earl of Clarendon.—(*Received December* 18.)

My Lord, *Madrid, December* 14, 1865.

I HAVE the honour to inclose herewith to your Lordship translation of a note which I have received from Señor Bermudez de Castro, in answer to one in which I expressed to his Excellency the satisfaction of Her Majesty's Government at the promulgation of a Royal Decree respecting negro traffic in the Spanish Colonies, and which I transmitted to your Lordship in my despatch of November 16.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 171.

Señor de Castro to Sir J. Crampton.

(Translation.)

Sir, *The Palace, December* 11, 1865.

I HAVE received the note which you were good enough to address me on the 16th of November last, in which, in alluding to the Decree of the 27th of October relative to the Slave Trade, you express the great satisfaction with which Her Britannic Majesty's Government have seen this proof of the determination of Her Majesty's Government to suppress that nefarious trade in the Spanish possessions.

It has been very pleasing to me, Sir, to know that the Government of the nation which you so worthily represent, does justice to the good faith and loyal intentions with which Her Majesty's Government are animated, with the object of fully carrying out the complete extinction of the Slave Trade in the Spanish dominions.

I avail, &c.

(Signed) M. BERMUDEZ DE CASTRO.

No. 172.

Sir J. Crampton to the Earl of Clarendon.—(*Received December* 19.)

My Lord, *Madrid, December* 14, 1865.

WITH reference to my despatch of the 16th ultimo, inclosing the copy of a note which I addressed to the Spanish Minister for Foreign Affairs, requesting that Mr. William Webb Follet Synge, should be recognized by Her Catholic Majesty's Government as the successor of Mr. Robert Bunch, as Judge of the Mixed Court of Havana, for the suppression of the Slave Trade, I have now the honour to forward herewith a copy and translation of the reply of the Spanish Government, stating that the necessary steps will be taken for the recognition of Mr. Synge in that character.

I have, &c.

(Signed) JOHN F. CRAMPTON.

Inclosure in No. 172.

Señor de Castro to Sir J. Crampton.

(Translation.)

Sir, *San Ildefonso, November* 23, 1865.

I HAVE received the note which you were good enough to address to me on the 16th instant, in which you communicate to me the nomination of Mr. William Webb Follet Synge to replace Mr. Robert Bunch as Judge of the Mixed Court established at the Havana for the suppression of the Slave Trade.

This fact has been to-day communicated to the Minister for the Colonies, and to the Captain-General of Cuba, that they may give the necessary orders for the recognition of Mr. Synge in his capacity of Judge.

I avail, &c.

(Signed) M. BERMUDEZ DE CASTRO.

No. 173.

The Earl of Clarendon to Sir J. Crampton.

Sir, *Foreign Office, December* 21, 1865.

WITH reference to my despatch of the 11th instant, relative to the case of a brigantine fully equipped for the Slave Trade captured by Her Majesty's ship "Jaseur," on the 6th of October last, and which is stated to have cleared from Cadiz on or about the 18th of last July, I have now to acquaint you that it appears by reports received in this department from the Admiralty, and from the Vice-Admiralty Court at St. Helena, where the vessel has been condemned, that the name of the brigantine was the *Amelia*, and that she was commanded by Sebastiao da Silva Martha. The luggage of both the master and mate is stated to have had Cadiz railway labels on it.

I have to instruct you to communicate this information to the Spanish Government.

I am, &c.

(Signed) CLARENDON.

SPAIN. (*Consular*)—*Cadiz.*

No. 174.

Consul Dunlop to Earl Russell.—(*Received January* 12.)

(Extract.) *Cadiz, January* 7, 1865.

I WAS informed last night that the slaver "*Ciceron*" left Antwerp about six or seven weeks ago, supposed probably under another name, came into this port as if to undergo repairs and painting, thereafter proceeded either to Seville or Huelva; and about five weeks ago left this neighbourhood for the African coast, having ostensibly cleared for Matamoros.

This vessel has already for some time been under the notice of Her Majesty's cruizers. My belief is that she fitted out at Antwerp as far as she could, and completed her equipment and "stores" at Huelva.

No. 175.

Mr. Hammond to Consul Dunlop.

Sir, *Foreign Office, January* 20, 1865.

WITH reference to your despatch of the 7th of October last, containing information respecting the British barque "*Indus*," which was suspected of being destined to be engaged in the Slave Trade, I am directed by Earl Russell to transmit to you copies of two despatches from Her Majesty's Consul at St. Thomas,* reporting the circumstances under which he had this vessel overhauled on suspicion of her being equipped for Slave Traffic.

You will see that the "*Indus*" discharged at St. Thomas a large quantity of water-casks and provisions, which are stated to have been taken on board at Cadiz for ballast, but no shipping document of any kind or Customs clearance was produced in support of this statement; and the vessel, after landing the casks and provisions in question, was reported ready for sea without taking in ballast.

I am to state that the proceedings of this vessel are evidently so suspicious that Lord Russell thinks it right you should be made acquainted with them, in order that you may, if you have the means of doing so, procure further information respecting the "*Indus*" and the parties connected with her.

I am, &c.

(Signed) E. HAMMOND.

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* Nos. 38 and 39.

No. 176.

Consul Dunlop to Earl Russell.—(*Received February* 6.)

(Extract.) *Cadiz, January* 30, 1865.

I HAVE the honour to acknowledge the receipt of Mr. Hammond's despatch dated 20th instant, and beg leave to mention that the "*Indus*" is believed here to have been, directly or indirectly, engaged in slave-trading at the very time she touched at St. Thomas. It seems a pity that she was not detained by the "Cordelia." At such places as St. Thomas, it is often in the Consul's power to arrest a suspected ship for such a length of time as would involve great injury to her owners.

SPAIN. (*Consular*)—*Havana.*

No. 177.

Consul-General Bunch to Earl Russell.—(*Received January* 30, 1865.)

(Extract.) *Havana, December* 16, 1864.

I TOOK advantage of the opportunity which was afforded me to-day of seeing the Captain-General for the purpose of taking the oath as Her Majesty's Judge, to hold some conversation with his Excellency on the subject of the Slave Trade.

I began by asking General Dulce if he had any information respecting a supposed landing of Bozal negroes in the early part of last month, from a sailing barque, at some point in the districts of Trinidad or Sancti Spiritus. The vessel was one which had been I can scarcely say chased, but followed, by Her Catholic Majesty's steamer "General Lezo," which vessel soon became leaky and was obliged to return to port. The slaver ran out to sea, and it is supposed that she subsequently returned to the neighbourhood of the River Zallabacoa and got rid of her cargo. The banks of that river are described as lined with fine plantations, in any of which a refuge is easily found.

General Dulce replied that he had received a report from the senior naval officer of the Trinidad District respecting this vessel and the short cruize of the "General Lezo," and had at once sent a Commissioner to inquire into the supposed landing. It had, however, been found impossible to procure evidence either through the Government officials or the inhabitants of the district. General Dulce was, therefore, compelled to abandon the investigation, which he did the more reluctantly that he entertained "a moral conviction" that some such landing had been effected.

I have heard that no less than fifteen expeditions are supposed to be on their way from Africa to the Cuban coast, that had been set on foot about two months ago when the change of Ministry took place in Spain. The slave-traders were fully persuaded that General Dulce would be immediately removed from this Government and his place be filled by a person more friendly to their interests. The Spanish cruizers are quite unfit for the service which they are supposed to perform. The ships in question are four in number: one is always in this port, another at Cienfuegos; and the other two are quite worn out. The "General Lezo," referred to above, cannot go to sea without leaking dangerously from the boilers.

I have lost no time in informing Vice-Admiral Sir James Hope of the supposed departure of the fifteen vessels.

No. 178.

Consul-General Bunch to Earl Russell.—(*Received January* 30, 1865.)

My Lord, *Havana, December* 26, 1864.

I HAVE the honour to acknowledge the receipt of Mr. Layard's despatch of the 1st of December, addressed to Mr. Crawford, and conveying information as to the

capture of slave-vessels off the African coast by Her Majesty's ships "Griffon," "Dart," and "Snipe."

I have, &c.
(Signed) ROBERT BUNCH.

No. 179.

Consul-General Bunch to Earl Russell.—(*Received February* 28.)

(Extract.) *Havana, January* 31, 1865.

IN obedience to the instructions which I received from Mr. Layard when I had the honour of an interview with him just before I left England, I have inquired into the present condition of the importation of coolies from China. I find that some persons who have previously conducted this Traffic have gone to China for the purpose of engaging a fresh supply. None have yet arrived, but there appeared lately a notice in the newspapers to the effect that about 400 are expected in a French ship, and instructing those who may desire their services how to secure them.

I shall carefully watch for this vessel, and endeavour to ascertain the condition in which the emigrants arrive, as well as the terms upon which they are engaged.

There is, unfortunately, no doubt that labour is much wanted in Cuba. It seems probable, therefore, that a large importation of coolies will take place, the more so as the Slave Trade is evidently checked for the moment.

No. 180.

Consul-General Bunch to Earl Russell.—(*Received February* 28.)

(Extract.) *Havana, January* 31, 1865.

I HAVE much satisfaction in stating that no reports or even rumours of landings of negroes from Africa on the shores of this island have reached me during the month which expires to-day.

I have had two conversations with the Captain-General on this subject during the month. His Excellency continues to hold the same language respecting the determination of the Spanish Government to put down the Traffic as he did on my arrival. On the last occasion of my seeing him, he remarked that one or two expeditions had been broken up in Spanish ports.

Three of Her Majesty's cruizers on this station have visited the Havana since my arrival; the "Fawn," the "Plover" (twice), and the "Cygnet." Nothing had been seen of a suspicious character by any of them.

It is to be hoped that this favourable state of things may continue. It forms an exception to that which has hitherto engaged the attention of Her Majesty's Government.

No. 181.

Consul-General Bunch to Earl Russell.—(*Received March* 31.)

(Extract.) *Havana, March* 1, 1865.

I AM able to report to your Lordship with much confidence that no landing of slaves has been even attempted on the coast of Cuba during the month of February.

I have just returned from an interview with the Captain-General. I told his Excellency that, as the mail-day was approaching, I was anxious to receive from him the latest intelligence on the subject of the Slave Trade for your Lordship's information. I added, that it was very agreeable to me to express my belief that no violation of the Treaty had occurred.

General Dulce replied, that I might inform your Lordship that such was the case, and that he was morally certain that no expedition had reached the coasts of this island. He stated, further, that he had himself written by the last Spanish mail to the Colonial Minister at Madrid ("Ministro de Ultramar") and recommended increased vigilance in the Spanish ports.

I told General Dulce that your Lordship would receive this intelligence with great satisfaction. I feel assured that he would, if he were permitted to do so, at once banish from the island a few of the most influential slave-traders.

I asked General Dulce whether he could tell me anything about the notorious steamer "*Ciceron*." His reply was, that she had touched on the 20th of January near Bahia

Honda, to the westward of this port, but had left again on the 22nd before anything could be done to detain her. She was quite empty, having been compelled to leave the African coast in haste. She had received a shot from some man-of-war, and had abandoned a boat with four men which she had not time to pick up. His Excellency added, that she was believed to have gone to Mobile, to try for a cargo of cotton.

Before leaving General Dulce, I asked him if he knew anything about the four or five cargoes of coolies which have arrived here during February. His Excellency replied, that it was not a matter with which he had much to do, but that they had arrived very comfortably. He also said that they had all been taken up at a premium of 25 ounces (about 83*l.*) for their contract, which his Excellency considered a proof that negroes were very scarce, as the coolies have hitherto been engaged at a premium of 15 ounces only (about 50*l.*)

I may add, that I received this morning a note from Commander De Kantzow, of Her Majesty's ship "Cygnet," one of the cruizers on this coast. He says, "We were only able to board a few vessels off Cape Antonio. Not a sign of a slaver, and I believe the Trade is pretty nearly done up."

I trust that your Lordship will be satisfied with the present condition of things; our only desire can be that it should continue.

No. 182.

Consul-General Bunch to Earl Russell.—(*Received April* 28.)

My Lord, *Havana, March* 30, 1865.

WITH reference to my despatch of the 31st of January of this year, in which I alluded to the subject of the proposed importation of coolies from China into this island, I have the honour to state that during the last two months 2,874 have arrived in this port.

I beg leave to inclose a Return of the vessels in which they have come—nationality, tonnage, date of arrival, number of coolies, and port of embarkation.

Although it is not easy to obtain precise details respecting the condition of these people during their voyage and on their landing, I think that I am in a position to state that they have been well treated, and that the mortality has been very small indeed. I saw two ship-loads myself; they were cleanly dressed, and seemed to be in the best possible spirits.

Your Lordship has been made fully acquainted by my predecessor with the regulations under which the coolies are placed in this island. Although in theory they are humane and considerate, I much fear that they are but imperfectly carried out in practice. All accounts concur in declaring that the people are but poorly cared for on the majority of the estates, and that in many cases gross cruelty is practised upon them.

The present arrivals have been all taken up at a price of about 80*l.* each for their contract—a considerable advance upon former importations. There is no doubt that labour is scarce in Cuba at this moment.

I may mention that, so far as I have been able to ascertain, not one woman has formed part of these late arrivals.

I have, &c.
(Signed) ROBERT BUNCH.

Inclosure in No. 182.

VESSELS arrived at Havana with Coolies.

Vessels.	Nationality.	Arrived.	Tonnage.	No. of Coolies.	Where From.
		1865.			
Barque Medoc	French ..	February 4	604	305	Macao.
Barque Joseph	Ditto ..	„ 21	754	363	Ditto.
Barque Isabel	Ditto ..	March 12	484	325	Ditto.
Barque Charlotte	Ditto ..	„ 28	541	264	Ditto.
Brig Leopold Catteau	Belgian ..	February 23	550	416	Ditto.
Ship Josefita Almira	Portuguese..	March 15	1,142	566	Ditto.
Barque Emigrante	Spanish ..	„ 3	448	360	Ditto.
Barque Encarnacion	Ditto ..	„ 19	430	275	Ditto.
			4,953	2,874	

(Signed) ROBERT BUNCH, *Consul-General.*

Havana, March 30, 1865.

No. 183.

Consul-General Bunch to Earl Russell.—(*Received April* 28.)

(Extract.) *Havana, April* 3, 1865.

ON the morning of the 29th of March I received from Captain Wake, R.N., of Her Majesty's ship "Bulldog," Senior Officer at Vera Cruz, the despatch of which, with its inclosures, I beg leave to transmit herewith a copy to your Lordship. It relates to the appearance at Vera Cruz of the notorious steam screw slaver "*Ciceron*," now transformed into a Mexican vessel, and called the "*Margarita Quintero*." The despatch of Captain Wake contains all the details of this transaction, and of the steps which Her Majesty's officers in Mexico took in the matter.

As it was given out that the "*Margarita Quintero*," relying upon her immunity under her new nationality, was coming to the Havana on her way to New York, I wrote without delay to the Captain-General a private note, and a few hours later addressed to him an official letter on the subject. Of this latter a copy is inclosed herewith. Whilst I abstain from suggesting the measures which it might be desirable for the Captain-General to take, I inform him of the vessel's possible arrival within his jurisdiction, and call his attention to the supposed fact that the Spanish supercargo, captain, and crew are still on board.

I received no reply from his Excellency until Sunday, the 2nd of April, when one was sent to me, dated the 31st of March, of which I inclose a translation.

I have written to Mr. Archibald, Her Majesty's Consul at New York, and suggested the propriety of his keeping his eye on the vessel's movements should she go to that port. I beg leave to inclose a copy of my letter, and have, &c.

Inclosure 1 in No. 183.

Captain Wake to Consul-General Bunch.

Sir, "*Bulldog*," *Sacrificios, Vera Cruz, March* 21, 1865.

I HAVE the honour to inform you that, about fifteen days ago, a screw-steamer from Tampico, under Mexican colours, and calling herself the "*Margarita Quintero*," arrived at this port for the purpose of legitimatizing a change of nationality (from Spanish to Mexican) that had been effected at Tampico. She professed to be bound from Vera Cruz to New York, viâ Havana, and had shipped at Tampico a small assorted cargo, chiefly goat-skins, and a trifling amount of specie. I inclose, for your information, the copy of a letter addressed by Her Majesty's Acting Consul at this port to me, with reference to the said ship, and of my reply thereto; and I have also to inform you that, from information subsequently received, there is no doubt that this vessel is no other than the notorious screw-slaver "*Ciceron*;" that there is every reason to believe that she made her way to Tampico (knowing that there would be no British man-of-war at that port), for the purpose of effecting a change of nationality, thereby receiving, as it were, a certificate of honesty, without which it would have been dangerous for so well-known a ship to approach the neighbourhood of Her Majesty's cruizers.

Having heard of the inquiries I was making about the ship, her consignees, who did not deny her former bad character, took the alarm, and refused to allow her to sail until they had obtained from the shippers of the cargo at Tampico a written consent to her braving the dangers of capture to which she was exposed by her ill-fame. In the meanwhile, the Mexican Government, at the instance of Her Majesty's Minister at Mexico, ordered an inquiry to be made into the case by the Governor at Vera Cruz, which course has ended in nothing; and as I presume that the owners of the cargo at Tampico will consider the legality of the change of nationality, and the perfect regularity of all her papers, to be sufficient guarantee against the detention of the ship by Her Majesty's cruizers while their property is on board, the ship will probably shortly be allowed to sail on her voyage.

It seems not unlikely that she will transfer her trifling cargo at Havana to another vessel bound for New York, or else proceed to New York, and thence once more to the coast of Africa.

I have therefore thought it my duty to call your attention to the matter, that you may take such steps as may seem to you feasible and advisable for the frustration of the nefarious purpose which there can be little doubt she ultimately entertains, supposing my information to be correct, of which I feel pretty sure.

I have, &c.

(Signed) C. WAKE.

Inclosure 2 in No. 183.

Acting Consul Ledward to Captain Wake.

Sir, *Vera Cruz, March* 8, 1865.

I HAVE the honour to inform you that, some two days ago, a screw-steamer called the "*Margarita Quintero*" entered this port; and from verbal information I have received, this steamer arrived at Tampico under Spanish colours, and there assumed the Mexican flag, preparatory to leaving that place for this port; and further, that she has hitherto been employed in the Slave Trade; but to enable her to enter Havana, she has received cargo in Tampico for New York, viâ Havana, and been placed, as before stated, under a flag.

I call your attention to these reports, as I have been given to understand that she is still destined for Slave Traffic, the vessel having already made several successful trips from the coast of Africa to the Island of Cuba, and, owing to her speed, has hitherto escaped capture.

I have, &c.
(Signed) FREDK. LEDWARD.

Inclosure 3 in No. 183.

Captain Wake to Acting Consul Ledward.

Sir, "*Bulldog*," *Sacrificios, Vera Cruz, March* 11, 1865.

AS there is some reason to believe that the screw-steamer "*Margarita Quintero*," now in this port, has been engaged in the Slave Trade, and is one of those vessels that have hitherto evaded all the efforts of the British cruizers to capture them, and as the Mexican law, declaring Slave Trade piracy, dated the 8th August, 1851, provides for the detention of ships, foreign or Mexican, that are suspected of being, or having been, engaged in the Slave Trade, I have to request that you will move the Mexican authorities to make inquiries into the antecedents of this ship before she assumed a Mexican nationality; and to detain her until the same can be done.

I have been informed that, on her change of flag at Tampico, she retained the Spanish captain, supercargo, and crew that brought her into that port; and I therefore submit that the change of nationality that has been effected at Tampico, though admissible for the ends of legitimate commerce, ought not to be allowed, where the effect of the transaction (unintentional on the part of the purchasers) is to protect the owners, captain, supercargo, and crew of a notorious slaver from the consequences of their crime.

I have, &c.
(Signed) C. WAKE.

Inclosure 4 in No. 183.

Consul-General Bunch to the Captain-General of Cuba.

Sir, *Havana, March* 29, 1865.

I DID myself the honour of addressing to your Excellency early this morning a note on the subject of the notorious screw steam-slaver "*Ciceron*," in order that no time might be lost in apprehending her should she show herself in any of the ports of this island. I propose now to place before your Excellency, in an official form, the information which has reached me concerning her, and which is embodied in my private letter above referred to. It has been communicated to me by the Senior Officer of Her Majesty's ships at Vera Cruz that the notorious steamer "*Ciceron*" arrived at that port about the 6th instant from Tampico, provisionally under Mexican colours, and calling herself the "*Margarita Quintero*." She professed to be bound to New York, viâ Havana, and had a small assorted cargo, chiefly goatskins, and a trifling amount of specie. The British Minister in Mexico having been informed by the Consul at Vera Cruz of the proceedings of this vessel, requested the Government of the Emperor to cause inquiry to be made into her previous history before allowing her to be formally registered as a Mexican vessel. An investigation was accordingly held by the Governor of Vera Cruz. It is supposed that nothing was found to justify a refusal of her new papers, and the vessel was to leave on her voyage as above described about the 23rd of March.

It is believed that the Spanish captain, supercargo, and crew have been retained on board, but I cannot speak positively as to this fact.

I have the honour to bring this matter to the knowledge of your Excellency, who will, I am persuaded, do whatever may be in your power to examine into it, and to further the ends of justice should the vessel enter any port of this island.

With sentiments, &c.

(Signed) ROBERT BUNCH.

Inclosure 5 in No. 183.

The Secretary to the Captain-General of Cuba to Consul-General Bunch.

(Translation.) *Havana, March* 31, 1865.

HIS Excellency the Governor, Captain-General, directs me to acknowledge the receipt of your Honour's letter and official communication, both of the 29th instant, and relating to the placing under Mexican colours, with the name of "*Margarita Quintero,*" of the vessel known as the "*Ciceron,*" which, according to report, has been engaged in the Slave Trade.

His Excellency has received as information your Honour's report, and will act, should circumstances require it, as may appear expedient.

God preserve, &c.

The Secretary,

(Signed) JOSE VALLS Y PUIG.

Inclosure 6 in No. 183.

Consul-General Bunch to Consul Archibald.

Sir, *Havana, March* 29, 1865.

I HAVE the honour to inform you that the notorious screw steam-slaver "*Ciceron,*" which has been the cause of so much trouble to Her Majesty's cruizers and to the authorities of this island, has recently appeared at Vera Cruz, where she consummated a change in her nationality, from Spanish to Mexican, which she had commenced a few days previously at Tampico. I am informed that on the 21st March she was at Vera Cruz under the Mexican flag and name of "*Margarita Quintero,*" and that she was bound for New York, viâ Havana, with a small assorted cargo, consisting principally of goatskins and a little specie.

I have no idea that this vessel will show herself in this port, as the risk, notwithstanding the change in her flag, would be considerable. But it seems very likely that she may go to New York.

Whether or no this step on the part of the "*Ciceron*" is to be taken as a blind to deceive the Spanish and English authorities, or as evidence of her intention to abandon her late nefarious practices, I cannot say. But I think it my duty to acquaint you with her movements in order that you may cause her proceedings to be watched should she arrive within your Consular district.

It is stated that the "*Margarita Quintero*" would leave Vera Cruz for Havana and New York on or about the 23rd of March.

I have, &c.

(Signed) ROBERT BUNCH.

No. 184.

Consul-General Bunch to Earl Russell.—(Received July 29.)

My Lord, *Havana, July* 1, 1865.

WITH reference to my despatch of the 3rd of April last, in which I had the honour to report to your Lordship certain particulars connected with the change of flag at Vera Cruz, and subsequent movements of the notorious steam slaver "*Ciceron,*" now the Mexican ship "*Margarita Quintero,*" I beg leave to state that this vessel arrived at this port from New York on the 25th of June.

I am informed by the Consul-General of Mexico, to whom I addressed myself respecting her, that she is a *bonâ fide* Mexican vessel, and that she is in process of being sold or hired to a Spanish steam navigation company to run between this port and Vera

Cruz. My colleague assures me that there is no ground for apprehending that the vessel will be put to any other use.

I have also spoken to the Captain-General on this subject. He gave me the same information as the Mexican Consul-General, and added that the vessel would not have dared to come here unless her proceedings had been above suspicion.

The "*Margarita Quintero*" is still here.

I have, &c.
(Signed) ROBERT BUNCH.

No. 185.

Consul-General Bunch to Earl Russell.—(*Received July* 29.)

(Extract.) *Havana, June* 24, 1865.

THE term of office of the present Captain-General of Cuba will expire in November of this year, and it seems to be considered certain that his successor will be General Lersundi.

Whatever may be the cause of the cessation of the Slave Trade, upon which we have had reason to congratulate ourselves during the past nine months, there can be no doubt that the energy of General Dulce has greatly conduced to the result.

In addition to this great benefit, I have much pleasure in saying that the interests of Her Majesty's subjects have always received due attention from General Dulce whenever I have had occasion to apply to him on their behalf. I shall, therefore, greatly regret his departure from this government.

I understand that a petition, emanating from the creoles, has been sent to Madrid to beg the Queen of Spain to prolong General Dulce's term of office.

No. 186.

Consul-General Bunch to Earl Russell.—(*Received June* 29.)

My Lord, *Havana, June* 1, 1865.

I HAVE read a paragraph in the "Times" of the 10th of May to the effect that some excitement was prevailing at Havana on the subject of an unexpected insurrection of the slaves, and that fears were entertained that an outbreak was in contemplation.

As your Lordship, were your attention directed to this intelligence, would naturally think it strange that a matter of such importance to this community, and even to the Spanish rule in Cuba, should be passed over by me without notice or allusion, I think it my duty to say that the paragraph in question has no foundation in fact. The only justification that I can imagine for such a statement might possibly be found in a rumour which was current in this city at the time of the carnival, that some patrols of police had been doubled. The negroes are apt to take a good deal of license at that period, and several cases were recorded in the daily papers of wounds from knives having been inflicted in the streets on inoffensive passers-by by gangs of disorderly negroes dressed in grotesque costumes. This is, of course, extremely reprehensible; but the attacks were made in mere brutal wantonness, certainly not with any political meaning.

It is true that some vague apprehension exists throughout the island that the late emancipation of the negroes in the United States, coupled with the evacuation of Santo Domingo by the Spanish forces, might induce the coloured population to try their strength against their oppressors, for such the Spaniards and Creoles really are. It is also affirmed that the negroes showed much concern at the assassination of Mr. Lincoln, whom they called their father. But I am disposed myself to consider the uneasiness which exists in some quarters only as the natural fruit of an unquiet conscience, and of the belief that sooner or later a change must take place in the status of the coloured race in Cuba.

I have, &c.
(Signed) ROBERT BUNCH.

No. 187.

Consul-General Bunch to Earl Russell.—(*Received July* 29.)

(Extract.) *Havana, June* 15, 1865.

IN my previous despatch of this date, I had the honour to state that the planters of Cuba were proposing measures for the termination of slavery in the island. I take leave to report to your Lordship what has been done thus far in this important matter.

Upon my arrival here I was told that a memorial was about to be presented to the Queen of Spain on this subject. Although I have tried to get a copy, or even a sight of this paper, I have never done so, nor am I sure that it was ever forwarded.

But I am able to state that a meeting of planters was held on Saturday last, by permission of the Captain-General, for the discussion of emancipation. I learn that it was recommended, apparently with the consent of the majority, that slavery should cease altogether at a very short date. It was, however, declared that the negroes should remain as at present in the service of their masters, who were to feed and clothe them, and pay them at first, two dollars and afterwards four dollars a-week for their labour. That any negro should have the right to transfer himself to another "patron," as I suppose the master might be called, upon the payment of 400 dollars, and that cases of ill-treatment should be punishable by the Courts of Law just as in the case of whites.

I asked the Captain-General if he believed that the planters were in earnest; he said that he thought so; that he had given them leave to hold another meeting, and had recommended them to draw up their own plans, without asking for his advice, or for Government assistance.

No. 188.

Consul-General Bunch to Earl Russell.—(*Received July* 29.)

My Lord, *Havana July* 1, 1865.

WITH reference to my despatch of the 30th March last, I have the honour to transmit herewith to your Lordship, a list of the vessels which have arrived at this port since that date with coolies from China.

There has been very little mortality on board of these vessels, and the men have generally landed in good condition. Their contracts have been bought up at prices varying from 65*l.* to 80*l.* for their term of eight years.

I have, &c.
(Signed) ROBERT BUNCH.

Inclosure in No. 188.

List of Vessels Arrived at Havana with Coolies.

Rigging.	Names.	Nationality.	Arrived.	Number of Coolies.	Tonnage.	From
Ship	David	French	Apri 8	413	726	Macao.
Ditto	Guadalupe	Spanish	9	431	759	Ditto.
Barque	Auguste et Gustave	French	25	235	428	Ditto.
Ship	Emma	Portuguese	May 4	231	478	Ditto.
Ditto	Lombard	French	6	239	453	Ditto.
Barque	Port Durant	Ditto	18	187	177	Ditto.
Ditto	Nouvelle Pallas	Ditto	June 17	192	298	Ditto.
Ship	Avon	Italian	19	530	999	Ditto.
Ditto	Queen of England	Ditto	23	548	1,174	Ditto.
9 vessels.		Total	..	3,006	5,492	

(Signed) ROBERT BUNCH, *Consul-General.*

Havana, July 1, 1865.

No. 189.

Consul-General Bunch to Earl Russell.—(*Received August* 14.)

(Extract.) *Havana, July* 15, 1865.

IN my despatch of the 15th ultimo, I had the honour to report to your Lordship that certain steps were being taken by the planters of this island, towards, at the least, discussing the great question of the emancipation of their negroes.

I am now in a position to offer to your Lordship some further information as to the proceedings of these gentlemen.

Two meetings have been already held at the house of Count O'Farrill, a wealthy planter, who has accepted the Presidency of the body in Cuba, which is to be called, the Society of the Friends of the Country. Señor Olozaga has agreed to act in a similar capacity in Spain.

The avowed and real object of this Association is to consider the question of negro emancipation. Every one seems to consider it as certain that the condition of the African race will undergo a great change in this island within a very few years. It is the universally expressed belief that the public opinion of the world is against slavery; that the institution cannot be maintained in the face of this opposition, and that the recent events in the United States, joined to the evacuation of Santo Domingo by the Spaniards, will aid powerfully in precipitating a solution of the question. Under these circumstances the planters say frankly that their interest lies in guarding against the coming storm, which they hope to avert by judicious measures of precaution.

It would be agreeable to believe that a regard for the rights of the negro, or a conviction of the immorality of slavery had even a share in inducing the planters of Cuba to reform the system of cruelty and injustice of which they have been the strenuous supporters. But they seem to me to take pains to declare that they are well satisfied with things as they are; in other words, that it is fear for the future which alone counsels them to suggest the necessity of a change.

It is premature to say that any definite plan of emancipation has been seriously proposed at the meetings above referred to. They have been simply preliminary. But I am given to understand that the idea of an almost immediate liberation of the negroes, under the direction and control of their present masters, to which I alluded in my despatch of this year, is that which finds the greatest favour.

In the meantime, the mere agitation of the question is of use in discouraging the importation of negroes from Africa. It is evident that no one is anxious to buy fresh labourers at a heavy cost, whilst there is even a chance of the new arrivals being turned loose before they have paid for themselves. This consideration, joined to the difficulties thrown in the way of the Traffic by the hostility to it of General Dulce, is acting most favourably in checking its continuation.

In connection with this subject I may remark that many persons believe that an effort will be made to introduce some cargoes here just as General Dulce goes away. Although I cannot myself see the grounds for this belief, I would venture to recommend some vigilance on the Coast of Cuba during November and December next.

No. 190.

Consul-General Bunch to Earl Russell.—(*Received August* 14.)

My Lord, *Havana, July* 17, 1865.

I HAVE the honour to transmit herewith to your Lordship a translation of a letter, dated the 14th instant, which I have received from the Secretary of the Government of this island.

It is written by order of the Captain-General, with the view of obtaining the rectification of certain errors which, it is alleged, are to be found in the Papers relating to the Slave Trade recently laid before Parliament, and especially in a Return dated the 20th (30th ?) of September last, signed by Mr. J. V. Crawford, which purports to be a list of the negroes from Africa which have been introduced into this island during the preceding twelvemonth. This Return, I imagine, is to be found on page 59 of Class A, from January 1 to December 31, 1864.

Your Lordship will observe that the letter of the Government Secretary is written in a very indignant tone. Your Lordship will determine whether or no that tone is justified by the facts of the case. It is unfortunately true that both the expeditions, viz, those of

625 and of 1,900 negroes, are put down by Mr. J. V. Crawford as landed and not captured. Mr. Crawford has, no doubt, good grounds for this assertion, but in his absence I am unable to say what they are, particularly as his late father seems to have given up the case of the 1,500 of the Aurora estate in his letter of the 6th of April, of which your Lordship has a translation.

I have replied to the Captain-General in the letter of which a copy is inclosed.

Whatever may be the truth concerning these two expeditions, I cannot help considering it a good sign that the chief authority of this island should manifest such an anxious desire to put upon record his activity and his determination to carry out the Treaty obligations of the nation whose servant he is.

I have, &c.
(Signed) ROBERT BUNCH.

Inclosure 1 in No. 190.

The Secretary to the Captain-General of Cuba to Consul-General Bunch.

(Translation.)

Sir, *Havana, July* 14, 1864.

IN the "Epoca," a newspaper published in Madrid, No. 5,293, of the 2nd of June last, it is stated that there had lately been presented to the British Parliament the Annual Return of the Trade in Slaves, in which document it is announced that the number of such persons imported into the Island of Cuba in 1864 was 6,807.

I have before me the Return to which the paper refers, and to judge from the manner in which it is drawn up by Mr. John V. Crawford, your Honour's predecessor, the number might have been increased according to his fancy, even to 20,000.

It is of great importance that facts should be established and the truth evolved. This is a matter of interest to both England and Spain, as well as to the world at large. My object will be, in the communication which I now have the honour to address to you, by order of his Excellency the Superior Civil Governor, to discharge this duty, and to request of you to bring the facts to the knowledge of your Government as an act of justice to us.

Mr. Crawford alleges that seven expeditions of negroes were introduced between November 1863, and the date of his Return, which is the 20th of September, 1864. Of these he says that five were captured, which is true; as it also is that this Government gave him the information respecting all of them before his own agents did, and that the whole number of negroes amounted to 2,980.

Mr. Crawford adds to these expeditions another, which he supposes to have been landed at Cabañas, on the 19th of April, from a Spanish brig called the "*Isabel*," which he says was scuttled after having brought 625 negroes, which landing, he adds, was denied by the authorities.

Not only was it denied, Sir; it was most clearly proved that this expedition was purely imaginary and had never existed. It may, however, be that your predecessor's suspicions were founded upon the case of another vessel which was chased by our vessels of war. This vessel really was a slaver. In despair at not being able to escape, she did land her negroes to the number of 474; these were captured by the steamer "Guadalquivir," and figure among the 2,980. The vessel herself was burnt.

The British Consul must have known, through his agents, the measures which were taken along the coast by the subordinate agents of this Government, who were kept in activity by orders of his Excellency dispatched through the post and by the telegraph. These subordinate officers had reported to the Government the intended landing, and it was their faithful conduct which produced the capture of the 2nd of May. Your Honour's predecessor frequently failed to reply when the incorrectness of his intelligence was shown and proved to him; and as a consequence of this conduct, probably with a view of convincing his Government of his unwearying activity, he was not very scrupulous in furnishing information of a doubtful character.

Your Honour may yourself judge how far this is true by reading the two accompanying letters of Mr. Crawford, dated within three days of each other, in April 1864, viz., the first on the 3rd and the second on the 6th. These will show the degree of importance which his assertions deserved.

In the first of these letters, marked Private, to his Excellency the Captain-General, he affirms that the British ship "Martha" fell in with, at sea, a steamer loaded with African negroes, which cargo (as he makes the English captain say) he knew had been landed with

perfect success. The Consul adds, as from himself, that this landing was undoubted, and he even names the supposed owners of the cargo and the name of the vessel.

In the second letter, also addressed to his Excellency, he contradicts himself completely, it now appearing that the captain of the "Martha" did not see any such negroes on board of the steamer; the Consul therefore congratulates his Excellency that the intelligence had proved to be erroneous.

Comment would be superfluous.

The other expedition, which the Consul gratuitously sets to the credit of Spain, is that of another steamer, which he says landed 1,500 negroes at La Teja, who were sheltered at the estate Aurora. This, he adds, was also denied by the Spanish authorities.

So untrue was this landing that the Consul could only have imagined it in the same manner as he did that of the captain of the ship "Martha."

M. le Consul, the most thorough investigation was made, and in the belief that what your predecessor affirmed was correct, his Excellency the General Marquis of Castellflorit issued orders of great severity, which even had the effect of offending the susceptibilities of military officers of honour who had given proof of their integrity. These officers remonstrated respectfully, and affirmed on their honour not only that the report of the landing was false but also that the accusation was calumnious.

No vessel of our navy ever heard of this steamer; no look-out man on the coast saw her; no trace of African negroes was to be found in any place, not even in the estate Aurora; no one ever heard of it, even from an anonymous source. Could 1,500 negroes, savages, ignorant of our language, suddenly melt away and disappear? Be so good as to inquire for yourself, and you will learn that no expedition, even when it has been sheltered in an estate for the shortest possible time, has failed to leave behind some trace, at any rate sufficient to excite suspicion. You will also learn, and I am sure that you already know it, that whenever such a thing happens there are always certain disappointed people who, out of revenge, give information, although it may be difficult to obtain judicial proof concerning it.

But of the two above named Reports, no one, absolutely no one, but Mr. Crawford, knows anything, so far as we can determine.

It is thus proved that there were not 5,105 African negroes landed in this island, as Mr. Crawford declares in his Report. This gentleman, not content even with this number, probably for fear that some expedition may have escaped his notice, does us the favour to add a third more as a precautionary measure, thus raising the total to 6,807 actually landed; that is to say, 3,827 imaginary ones.

The positive result of all this is that from the date of the return of your Honour's predecessor, viz., November 1863, only 2,980 negroes have entered the island, and all these without excepting one have fallen into the hands of the authorities, and are, therefore, not slaves. It is also established that, since May 1864, no vessel has come with Bozal negroes. We can thus say with truth that the suppression of the Slave Trade has been carried into real and proper effect.

If anything can be shown to the contrary since your Honour's arrival in this island, you can now say so. Under any circumstances, I entreat you to acknowledge the receipt of this communication, which I repeat that I have the honour to address to you by His Excellency's directions.

God preserve, &c.

The Secretary:
(Signed) JOSE VALLS Y PUIG.

Inclosure 2 in No. 190.

Consul-General Crawford to the Captain-General of Cuba.

(Translation.)
(Private.)

Sir, *Havana, April* 3, 1864.

THE English ship "Martha R. Lockwood," which arrived yesterday at Matanzas, from New York, before her arrival met a steamer full of negroes from Africa, which cargo (the English captain has reason to know) was landed in this island with perfect success.

I hasten to give your Excellency this intelligence in order that you may adopt such measures as may appear to you necessary, and in the meantime I have requested from the British Vice-Consul in Matanzas more detailed information, which, so soon as I shall receive it, I shall have the honour of communicating to your Excellency. The intelligence which I possess is positive, so far as the landing is concerned. I fancy that it is another

cargo of Zulueta and Barro, brought from Africa in the steamer "*Ciceron*," and that the landing was made through Sagua.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 3 No. 190.

Consul-General Crawford to the Captain-General of Cuba.

(Translation.)

Sir, *Havana, April* 6, 1864.

THE British Vice-Consul at Matanzas, whom I directed to question minutely the Captain of the English barque "Martha R. Lockwood," respecting his meeting with the steam-slaver, which he stated, on his arrival at Matanzas, he had reason to know had landed her cargo of Bozal negroes, has answered the questions which he was instructed by me to ask the said Captain. It now appears that on the 26th of last month he saw, near the Isla de Lobos, in the Old Bahama Channel, a steamer of about 700 tons, with side-wheels, painted black, with three masts, without a flag, which was standing towards the Island of Lobos; that he came within a mile of her, but did not speak her; he saw no negroes on board of her, nor has he any reason to know that she was a slaver. Nothing induces him to believe that she has landed a cargo in this island, as he vaguely reported, and the Vice-Consul immediately reported to me. I congratulate your Excellency and myself that the news is false, which was reported to me from Matanzas on the faith of what the Captain said.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 4 in No. 190.

Consul-General Bunch to the Captain-General of Cuba.

Most Excellent Sir, *Havana, July* 15, 1865.

I HAVE the honour to acknowledge the receipt of a letter which was addressed to me, under date of yesterday, by the Secretary of the Government, in obedience to your Excellency's instructions.

In it, your Excellency is so good as to call my attention to certain errors of fact which have appeared in the papers relating to the Slave Trade, recently laid before the British Parliament, on the subject of the number of negroes from Africa which are stated to have been introduced into this island between November 1863, and September 1864.

Your Excellency refers especially to two expeditions: the one of 625, the other of 1,500 negroes, which appear in the papers as having been successfully landed, but which you are pleased to declare have never existed at all.

With reference to the latter of these expeditions, your Excellency has furnished me with a copy of a letter from the late Consul-General Crawford, in which he expresses himself satisfied that the information which he had furnished a few days previous to its date was incorrect.

I fully agree with your Excellency that it is of the utmost importance to the Governments of Spain and of England, as well as to the world at large, that the information which is furnished on the subject of the Slave Trade, should be as trustworthy as is compatible with the difficulties which surround the question. Your Excellency knows better than any one what these difficulties are, and can, therefore, appreciate the position of a foreign agent, whose means of information are limited in comparison with those possessed by the Captain-General of this island.

I shall take the earliest opportunity of forwarding your Excellency's letter to Her Majesty's Secretary of State for Foreign Affairs. In doing so it will afford me the greatest pleasure to repeat the assurances which I have heretofore given to his Lordship, that the Slave Trade has almost ceased during several months past, and that under your Excellency's efficient guidance, the object which both our Governments have so much at heart, is in process of being carried out in reality and with success.

I avail, &c.

(Signed) ROBERT BUNCH.

No. 191.

Earl Russell to Consul-General Bunch.

Sir, *Foreign Office, August* 25, 1865.

I HAVE received your despatch of the 17th ultimo, inclosing copies of a letter from the Secretary to the Government of the Island of Cuba, addressed to you by direction of the Captain-General of that island, together with a copy of your reply to the Captain-General, relative to a complaint on the part of his Excellency that the Slave Trade Papers laid before Parliament during the late session contain an exaggerated Return of the number of slaves introduced into Cuba during the twelve months ended the 30th of September last.

I have to state to you that the result of investigations made in this department, lead Her Majesty's Government to believe that the Captain-General of Cuba is borne out in representing that the number of slaves actually introduced into Cuba during the period comprised in Mr. J. V. Crawford's Return, was considerably less than that set down in that Return.

There are two causes which, doubtless, have conduced to the inaccuracy complained of:—

1. The practice which has hitherto existed of adding in the Returns of the number of slaves known to have been introduced into Cuba in the course of a year one third more, to make up for any cargoes that might have been landed without the knowledge of the Consulate; and

2. The fact of Mr. Crawford having included in his Returns 1,500 negroes at one time supposed to have been landed in the island from the notorious slave steamer "*Ciceron*."

It is now known that that vessel failed to procure a cargo on the African coast, having been driven off after narrowly escaping capture by the British cruizers.

As regards the first cause of inaccuracy, viz.: the custom of adding one-third to the number of slaves known to have been introduced into Cuba, I have to observe that, although this system may have been, and, doubtless, was perfectly justifiable a few years ago, when the Cuban Slave Trade was at its height, was carried on apparently with the connivance of the Spanish authorities, and it was impossible to obtain reliable information as to the number of negroes imported, yet Her Majesty's Government frankly admit that at present, owing to the increased vigilance of the Captain-General, and to the better means at the disposal of this Department for checking the number of slaves exported from the African coast against the cargoes reported as being imported into Cuba, the practice of adding one-third to the Cuban Slave Returns can no longer be justified, and you will, therefore, refrain from adopting this system so long as the Spanish authorities shall by their conduct prove that they are anxious to suppress, and not to connive at the importation of slaves into Cuba.

In the matter of the 1,500 slaves reported to have been introduced into Cuba by the "*Ciceron*," I have to observe that it was only when Mr. Crawford was informed by this Department that the "*Ciceron*" had failed to procure a cargo on the African coast that he could have certified that the slaves were not in reality landed in Cuba. It was notorious that this vessel was expected with a cargo of slaves, and every arrangement had been made for landing them, the small coasting vessels intended to be employed on this service having actually left for the appointed rendezvous. When they returned it was currently believed that the "*Ciceron's*" expedition had been successful.

I have to desire that you will address a letter to the Captain-General of Cuba in the sense of this despatch, expressing at the same time to his Excellency the regret of Her Majesty's Government that Mr. Crawford should have fallen into error in his Returns of the Cuban Slave Trade, and assuring his Excellency that Her Majesty's Government have every desire to do full justice to the energy and activity displayed by him in carrying out the engagements of the Spanish Crown for the suppression of the Cuban Slave Trade.

I am, &c.

(Signed) RUSSELL.

No. 192.

Consul-General Bunch to Earl Russell.—(*Received September* 16.)

My Lord, *Havana, August* 25, 1865.

I HAVE just received trustworthy information that the Mexican steam-ship "*Margarita Quintero*" formerly the Spanish slaver "*Ciceron*," now in this port, is

meditating a trip to the coast of Africa. She is nominally fitting for a voyage to China for coolies, but her crew are being fitted up for the coast. She is expected to sail in about a fortnight.

The attention of the Captain-General has been directed to her, and he will stop her if it be possible.

I am myself prostrated by yellow fever, and can do no more than send this information to your Lordship.

I have, &c.
(Signed) ROBERT BUNCH.

No. 193.

Consul-General Bunch to Earl Russell.—(*Received October* 16.)

(Extract.) *Havana, September* 8, 1865.

WITH reference to my despatches of the 1st of July and 25th of August last, on the subject of the Mexican steamer "*Margarita Quintero*," formerly the Spanish slaver "*Ciceron*," I beg leave to report to your Lordship the steps which I have lately taken regarding her.

In consideration of the intelligence I received that she was fitting for a trip to Africa under pretence of going to China for coolies (reported to your Lordship in my despatch of the 25th ultimo), I thought it advisable to request the co-operation of my French colleague, the Marquis de Forbin Janson. At my request he called upon the Consul-General of Mexico and expressed his hope that the stories which had reached him of the possible prostitution of the Mexican flag to purposes of slave-trading were without foundation. The Mexican Consul-General at once declared that they were entirely so, and added what he had before told me, that the vessel was in process of being sold to a Spanish Company to run between Havana and Vera Cruz. He further said that the "*Margarita Quintero*" had only a provisional pass from the Mexican Government, and could not undertake so long a voyage as from here to China.

I am much indebted to my colleague for his friendly assistance.

I shall continue to watch the vessel whilst she remains in this port.

No. 194.

Consul-General Bunch to Earl Russell.—(*Received October* 30.)

My Lord, *Havana, September* 26, 1865.

I REGRET finding myself compelled to report to your Lordship that a landing of African negroes has taken place in this island. Fortunately, however, it has been on a small scale, and many of the new arrivals have been captured by the exertions of the Spanish authorities.

It was on the 21st instant that I heard of the landing. I lost no time in calling on the Secretary of the Government for information, which was given to me in the fullest manner. It appears that a brigantine of no great size succeeded in putting on shore, about the 18th or 19th instant, on the estate of two brothers named Hernandez, situated on the south side of the island between the jurisdictions of San Cristobal and Pinar del Rio, a party of negroes numbering, as it is believed, about 145. According to the IXth Article of the Spanish Code no investigation can be made inside the boundaries of an estate, but the authorities, evidently acting under the inspiration of the Captain-General, were not arrested by this difficulty. They obtained the traces of the newly-landed expedition and followed them for several leagues. The result has been, thus far, the capture of 103 of the negroes. Several persons also have been imprisoned on suspicion of having been concerned in this crime.

The Secretary of the Government volunteered to communicate this capture to me in writing, which he did on the following day. A translation of his letter is inclosed, as well as my reply.

The Spanish gunboats "Venadito" and "General Lezo" have been dispatched to cruize along the southern coast, as it is supposed that the expedition just captured is a portion of some larger one which is watching its opportunity in the neighbourhood of the Cuban coast.

I trust to be able to furnish your Lordship with further details on this subject so soon as the Magistrate of the Real Audiencia makes his report.

I am told that these newly arrived negroes are of larger stature, and that no one has been found who can understand their language. The belief is that they come from Goree, in Senegal, and it is said that many years have elapsed since any slaves have been brought from thence into this island.

I have, &c.
(Signed) ROBERT BUNCH.

Inclosure 1 in No. 194.

The Secretary to the Captain-General of Cuba to Consul-General Bunch.

(Translation.)

Sir, *Havana, September* 22, 1865.

HIS Excellency the Superior Civil Governor desires me to inform your Honour, as I now do, that after a lapse of nearly a year and a half without the occurrence of any event of importance, in consequence of the strict measures which have been adopted in order to put an entire stop to the disgraceful Slave Trade from Africa, one or more speculators have tried their fortune with a small vessel. These persons have failed to make any impression upon the honesty of the authorities of San Cristobal and Pinar del Rio. The negroes were indeed landed at a place called "El Gato," which forms the boundary of the two jurisdictions above mentioned, but there have been captured 103 African negroes, as well as some of the parties concerned in the expedition, notwithstanding that they had sought refuge in the broken country and woods of Cusco.

A Magistrate of the Real Audiencia is now engaged in investigating the matter.

God preserve, &c.

The Secretary:
(Signed) JOSE VALLS Y PUIG.

Inclosure 2 in No. 194.

Consul-General Bunch to the Captain-General of Cuba.

Sir, *Havana, September* 22, 1865.

I HAVE the honour to acknowledge the receipt of the letter which has been this day addressed to me by your Excellency's order. In it your Excellency is so obliging as to inform me of the capture, at a spot which forms the boundary of the jurisdictions of San Cristobal and Pinar del Rio, of 103 negroes who had been very recently landed there, and who had been driven into the woods which surround that district. Your Excellency adds that the whole affair is undergoing investigation before one of the Magistrates of the Real Audiencia.

I hasten to offer my thanks to your Excellency for this information, and to congratulate you on the satisfactory result of your untiring energy in the repression of the Slave Trade.

I have, &c.
(Signed) ROBERT BUNCH.

No. 195.

Consul-General Bunch to Earl Russell.—(*Received October* 30.)

My Lord, *Havana, October* 4, 1865.

WITH reference to my despatch of the 26th ultimo, in which I had the honour to report the landing near Pinar del Rio, on the south side of this island, of about 145 negroes from Africa, I beg leave to state that the Captain-General told me to-day that the entire number, viz., 143, had now been captured by the authorities of that district.

It appears from the evidence given by two negroes who speak Portuguese, that the number shipped in Africa was 152. One is said to have died on the passage, and 6 or 7 were killed during an attempted mutiny, in which 3 white men also perished.

General Dulce informed me, as he has done before, that he thinks an attempt will be made to introduce some negroes about November, when it is believed that his Excellency will be relieved from this command. He expressed a hope that great vigilance would be

exercised by the cruizers on the African coast. He seemed to think that the British squadron there was about to be diminished. I told him that I had no reason to think so; on the contrary, that I had observed the appointment of a Commodore of the first class to the command of the station, which rather pointed to an increase than to a diminution of our force.

I have, &c.
(Signed) ROBERT BUNCH.

No. 196.

Earl Russell to Consul-General Bunch.

Sir, *Foreign Office, October* 31, 1865.

I TRANSMIT to you herewith, for your information, copies of papers which have been communicated to me by the Secretary of State for the Colonial Department, having reference to the Cuban Slave Trade.

These papers would lead to the belief that, at least, one landing of slaves has taken place in Cuba, of which Her Majesty's Government have not received any information from you; and I should be glad, therefore, to be furnished with any observations which you may have to offer upon the contents of the inclosed documents.

I am, &c.
(Signed) RUSSELL.

Inclosure 1 in No. 196.

Commander Stuart to Governor Rawson.

Sir, *Lighthouse, Yacht "Georgina," September* 21, 1865.

IN obedience to your Excellency's commands, directing me to state in writing a report that I made yesterday to your Excellency verbally, relative to a slaver that had landed a cargo of slaves at Cayo Romano, an island adjacent to the Island of Cuba, in May last, I have the honour to report that I arrived at Cay Lobos, with Mr. Harvey, on the 29th May. The lightkeepers reported to the inspector and myself that a brigantine, having the appearance of a slaver, had been lying off Cay Lobos from the 10th May to the 14th, and during that period they had observed from the balcony of the lighthouse tower a Spanish guarda-costa lying at Cay Confites, which is only twelve miles across from Lobos, on the Cuban side.

2. They noticed that the guarda-costa left on the evening of the 14th, steering westerly, and that the brigantine left Cay Lobos that night. On the 15th they saw a vessel, which they took to be the same brigantine, on the Cuban shore near Cayo Romano.

3. The suspicions of the lightkeepers were confirmed by the information, given to them by Captain Glenton, of the schooner "Ocean Monarch," and his crew, that a cargo of slaves had been landed at Cayo Romano, and that the proprietors of the island would not allow them to go into the interior of the island, as they had been accustomed to, stating that their reasons for preventing them were, that they had a cargo of slaves on the island, and did not wish the slaves to see them. Captain Glenton and his crew also saw the tracks of a great number of persons at the landing-place; he was at the Cay on the 25th of May.

4. Hoping that your Excellency will pardon my neglect in not reporting the case before, as the inspector was present at the time on an official tour, and who I thought would have made a report to your Excellency.

5. I have further to report that on my last quarter's tour of inspection to the Cay Lobos light, the lightkeeper reported to me that in the month of June last he saw two suspicious looking vessels, one a barque and the other a brigantine, hovering to the northward of Cay Lobos lighthouse on the Bahama bankside.

6. He also observed that whenever these vessels were near the edge of the bank, and saw a steamer in sight, steering either up or down channel, they always kept off, and ran to the northward on the bank.

I have, &c.
(Signed) W. H. STUART.

Inclosure 2 in No. 196.

Governor Rawson to Mr. Cardwell.

(Extract.) *Government House, Nassau, September* 23, 1865.

SINCE I finished my despatch of yesterday, reporting the grounds for my belief that cargoes of slaves have been landed at Anguilla and Cay Sal of late years, I have received a further letter from Captain Stuart, of which I inclose a copy, which furnishes reason for believing that Anguilla may still be made a rendezvous for slavers, if not a depôt for their cargoes.

2. I shall forward a copy of this letter to Admiral Hope, and I have already requested Captain Miall, of Her Majesty's ship "Cygnet," to visit both Anguilla and Cay Sal occasionally on his way between his present cruizing ground and this port.

3. The Secretary to the Admiralty states in the letter of which you forwarded me a copy in your despatch of the 26th August, that Admiral Hope had stationed a cruizer off Cay Sal.

Inclosure 3 in No. 196.

Commander Stuart to Governor Rawson.

Sir, *Lighthouse, Yacht "Georgina," September* 22, 1865.

SINCE making my last Report, of yesterday's date, I have seen Captain Eneas, of the schooner "Azarian," referred to in that Report in connexion with being surprised by a slaver's crew in Anguilla.

He states that Mr. John Roberts, who was mate with him at the time of his surprisal, had met the captain of the same slaver in New York last month, and was told by him that he was again at Anguilla last year in a barque with a cargo of slaves, and that he was anchored off there for three days, waiting advices from Cuba, and that subsequently he landed them twenty-five miles to the westward of Havana, carried his vessel to sea and scuttled her, and then took to his boats, and landed in Cuba.

Also, that this slave captain is an American, and boasted of its being his tenth voyage, and that he was then making preparation for going to the coast of Africa, and would be gone about three months.

Captain Eneas' opinion is that they use Anguilla to anchor off, but do not land them now on the island, but transport them direct to the small schooners.

He also informed me that the slave captain told him that he came around the west point of New Providence, up through the tongue of Ocean, round the southern part of Andros Island, to avoid meeting the cruizers in the old Bahama Channel.

I have, &c.

(Signed) W. H. STUART.

No. 197.

Earl Russell to Consul-General Bunch.

Sir, *Foreign Office, October* 31, 1865.

I HAVE received your despatches of the 26th ultimo and 4th instant, reporting the landing of a cargo of slaves on the south side of the Island of Cuba, near Cape Antonio, and their subsequent seizure by the Spanish authorities.

It is very satisfactory that the only cargo of slaves which, as far as Her Majesty's Government are aware, has been introduced into Cuba during the last twelve months, should have been seized by the Cuban authorities, and I have to instruct you to take an opportunity of expressing to General Dulce the gratification which it affords me to bear testimony to the energy and good faith with which his Excellency has acted in carrying out the engagements of the Spanish Crown for the suppression of the Cuban Slave Trade.

I am, &c.

(Signed) RUSSELL.

No. 198.

Consul-General Bunch to Earl Russell.—(*Received November* 13.)

My Lord, *Havana, October* 12, 1865.

I HAVE the honour to report that, in compliance with the instructions contained in your Lordship's despatch of the 25th of August last, I have addressed to his Excellency the Captain-General of this island a letter, conceived in the terms of your Lordship's despatch, on the subject of certain inaccuracies which have appeared in the Papers relating to the Slave Trade presented to Parliament during its last session. A copy of that letter, which was dated on the 25th ultimo, I beg leave to inclose herewith.

I have to-day received from the Secretary of the Government a reply, dated on the 26th of September. A copy and translation of it are herewith inclosed to your Lordship.

Your Lordship will observe that General Dulce expresses himself as greatly indebted to you for the manner in which you had received his observations, and for your obliging expressions towards him. His Excellency, however, cannot admit that either his predecessors or any other Spanish officers have ever connived at a violation of the laws respecting the Slave Trade.

I have, &c.
(Signed) ROBERT BUNCH.

Inclosure 1 in No. 198.

Consul-General Bunch to the Captain-General of Cuba.

Most Excellent Sir, *Havana, September* 25, 1865.

ON the 14th of July last I had the honour to receive a letter which was addressed to me by the order of your Excellency, on the subject of certain inaccuracies which, it was alleged, had appeared in the Papers relating to the Slave Trade presented to Parliament, and notably in a Return, dated the 30th of September, 1864, signed by Mr. J. V. Crawford, at that time Her Majesty's Acting Commissary Judge at this place.

Your Excellency complained that the number of negroes from Africa, reported to have been landed in Cuba during the period comprised in that Return, was much exaggerated and expressed a desire that Her Majesty's Government should be furnished with an accurate statement of those really introduced into the island.

I stated to your Excellency in my reply to this letter on the following day, that I would take the earliest opportunity of transmitting a copy of your communication to Her Majesty's Principal Secretary of State for Foreign Affairs, accompanied by such observations upon the great change which has of late taken place in the Slave Trade, as appeared to be called for by a sense of justice to your Excellency.

I am now instructed by Earl Russell to state to your Excellency, that the result of the investigations made at the Foreign Office, leads Her Majesty's Government to believe that your Excellency is borne out in representing that the number of slaves actually introduced into Cuba during the period, covered by Mr. J. V. Crawford's Return, was considerably less than that set down in that Return.

I am to observe that there are two causes which doubtless have conduced to the inaccuracy complained of.

The first is the practice which has hitherto existed of adding to the Return of the number of slaves known to have been introduced into Cuba in the course of the year, one-third more, to make up for any cargoes that might have been landed without the knowledge of the Consulate-General; and secondly, the fact of Mr. Crawford having included in his Return 1,500 negroes, at one time supposed to have been landed in the island from the notorious slave steamer "*Ciceron.*"

It is now known that that vessel failed to procure a cargo on the African Coast, having been driven off, after narrowly escaping capture by the British cruizers.

As regards the first cause of inaccuracy, viz., the custom of adding one third more to the number of slaves known to have been introduced into Cuba, I am instructed to observe that although this system may have been, and doubtless was, perfectly justifiable a few years ago when the Cuban Slave Trade was at its height, was carried on apparently with the connivance of the Spanish authorities, and it was impossible to obtain reliable information as to the number of negroes imported; yet Her Majesty's Government frankly

admit that at present, owing to the increased vigilance of the Captain-General, and to the better means at the disposal of the Foreign Office for checking the number of slaves exported from the African Coast against the cargoes reported as being imported into Cuba, the practice of adding one-third to the Cuban Slave Returns can no longer be justified The practice will, therefore, be discontinued for so long as the Spanish authorities shall prove that they are anxious to suppress the importation of slaves into Cuba.

With reference to the second cause of inaccuracy to which I have alluded, I am desired to remark that the 1,500 slaves which were reported to have been introduced by the "*Ciceron*" were currently believed to have been landed. It was notorious that this vessel was expected with a cargo, and every arrangement had been made for its disembarkation, the small vessels intended to have been employed on this service having actually left for the appointed rendezvous. It was only when Mr. Crawford was informed by the Foreign Office that the "*Ciceron*" had failed to procure a cargo on the coast of Africa that he could have certified that the slaves were not in reality landed in Cuba.

In thus conveying to your Excellency the views of Her Majesty's Government on this subject, I am directed to express their regret that Mr. Crawford should have fallen into error in his Returns of the Cuban Slave Trade. I am also to assure your Excellency that Her Majesty's Government have every desire to do full justice to the energy and activity displayed by you in carrying out the engagements of the Spanish Crown for the suppression of the Slave Trade in this island.

I avail, &c.
(Signed) ROBERT BUNCH.

Inclosure 2 in No. 198.

The Secretary to the Captain-General of Cuba to Consul-General Bunch.

(Translation.)

Sir, *Havana, September* 26, 1865.

HIS Excellency the Superior Civil Governor and Captain-General of this island has received with satisfaction the obliging letter which your Honour addressed to him, under date of yesterday, conveying to him the decision of his Excellency the Earl Russell that the errors should be corrected which had been published for the use of the British Parliament respecting the introduction of African negroes.

His Excellency directs me in acknowledging the receipt of your Honour's letter to say, that he congratulates himself upon the fact that the British Government has done justice to the protest which his Excellency made on this subject through your Honour, and that he offers his thanks to Lord Russell for the personal opinion which he has formed of the present Captain-General of this island. But his Excellency cannot admit it to be proved that his predecessors, or any other Spanish authorities, have at any time given reason for an addition being made to the number of African negroes supposed to have been introduced under the idea that these authorities had concealed the real number.

His Excellency is convinced that the Spanish authorities have always carried out the law and have behaved with good faith and honour.

His Excellency is grateful for the expressions of good-will with which your Honour accompanies the instructions of his Excellency the Minister of Foreign Affairs of Her Britannic Majesty, and desires me to thank you for them, as I have the honour to do, as also for the promptness with which your Honour informed your Government of the letter which I had the honour to address to you, and which has elicited the noble declaration of his Excellency the Earl Russell.

God preserve, &c.

The Secretary:
(Signed) JOSE VALLS Y PUIG.

No. 199.

Consul-General Bunch to Earl Russell.—(Received November 29.)

My Lord, *Havana, October* 31, 1865.

GENERAL DULCE has spoken to me on more than one occasion of his desire to establish in this island an association of planters and merchants for the suppression of the Cuban Slave Trade. His Excellency informed me that he had borrowed the idea from

the English societies for the promotion of temperance, or the furtherance of other useful or moral objects; that membership would be entirely voluntary, but that he should consider himself entitled to accuse of a desire to perpetuate the Slave Trade any person of position who might refuse to enrol himself in the ranks of the society.

I have taken leave to encourage this idea, and have always told General Dulce that associations such as he alluded to in England, had been found to be powerful instruments in the promotion and diffusion of a sound public opinion on the subjects to which they relate.

I have now the satisfaction of inclosing herewith to your Lordship a translation of a set of rules which have been drawn up by two influential lawyers here for the government of this new society.

Your Lordship will observe that the members pledge their honour to the suppression of the Slave Trade by every means in their power. They declare that they will not purchase or acquire, directly or indirectly, negroes who may be introduced into this island after the 19th of November, 1865 (the fête, or saint's day of the Queen of Spain); that they will obey the dictates of conscience in contributing to the objects of the society, and that they will do all they can to diffuse the idea of the illegality and cruelty of the Slave Trade.

The society is, as yet, quite in its infancy, but I am told that several hundred persons have signified their intention of joining it.

I am inclined to expect much good from this entirely novel idea in Cuba.

Among other benefits which may arise from it may be mentioned the check which the existence of such a society here will be to any future Captain-General who may not be disposed to take General Dulce for his model in dealing with the Slave Trade.

I have, &c.

(Signed) ROBERT BUNCH.

Inclosure in No. 199.

Plan of the Projected Association against the Slave Trade.

(Translation.)

CHAPTER I.

THIS society has for its object to assist in the complete and total extinction of the illegal Traffic known as the African Slave Trade.

To this end, all who may become members of it pledge their word of honour to abstain from every act which might tend to favour the trade, and to fulfil, in addition, the following duties:

1st. Not to acquire by any title, direct or indirect, negroes from Africa who may be introduced into the island after the 19th of November, 1865.

2nd. To contribute to the object of the society by all the means which may be suggested to the members by the dictates of conscience.

3rd. To inculcate in every way the duty and propriety of the entire and absolute suppression of the Traffic, not only by putting this idea in circulation, but by bringing the greatest number possible of persons into the ranks of the society.

CHAPTER II.

The names of the members shall be published as they join the society, and a register shall be kept with the date of membership.

The names of those who may hereafter be excluded from the society for having infringed its rules by acts in contravention of their social duties shall be struck out of the register without any reason being given.

This expulsion shall be effected in concert with the central vigilance committee.

CHAPTER III.

The number of members shall be indefinite, and the greatest possible.

In each municipal district of the island there shall be a vigilance committee appointed by the members who may reside in that neighbourhood.

That of the Havana shall be considered as the central committee, and shall have such relation to the local committees as the rules shall determine.

Each committee shall be composed of nine individuals, except the central, which shall have fifteen, the president and secretary being comprised in those numbers.

These officers shall be honorary, unpaid and removeable.

The founders form a provisional committee for the organization of the society, for drawing up its rules, and for receiving the first accession of members. When the number of members shall reach 100 it shall call a meeting in order to appoint the central committee.

This meeting will proceed to organize throughout the island the provisional local committees, and thus, in their turn will establish the society within their respective districts.

In each of these there will be kept a supplementary register, but the names of the members will also appear in the general register.

No. 200.

The Earl of Clarendon to Consul-General Bunch.

Sir, *Foreign Office, November* 30, 1865.

I HAVE received your despatch of the 31st ultimo, reporting the formation in Cuba of a society for the suppression of the African Slave Trade, and inclosing a copy of the rules, and I have to instruct you to take an opportunity of stating to General Dulce that Her Majesty's Government have learnt with much satisfaction the formation of this society.

I am, &c.
(Signed) CLARENDON.

No. 201.

Consul-General Bunch to Earl Russell.—(Received December 11.)

(Extract.) *Havana, November* 17, 1865.

ON the 31st ultimo I received information through the Acting Consul-General of the United States, and immediately afterwards from another source, that a cargo of negroes, estimated at between 600 and 700, had been landed on the northern coast of Cuba, somewhere near Mariel, or at any rate between that port and Cape San Antonio. Happening to see the Captain-General on that day, I inquired of his Excellency whether he had any report of such a landing. General Dulce suggested that if a landing had taken place, it might rather be in the neighbourhood of Remedios, to the windward of this port. His reply certainly left on my mind the impression that there had been a successful attempt not very far from Havana.

Upon leaving the Captain-General, I told him that I should take leave to call his attention officially to the matter, to which he replied, "Just as you please."

I accordingly addressed to his Excellency on the same day the letter of which I inclose a copy to your Lordship. In it I allude to Mariel as the probable place of debarkation, but also avail myself of his own hint about the windward coast.

On the 1st of November I received two letters from the Secretary of Government, of each of these your Lordship will find a translation inclosed herewith.

Somewhat to my surprise, the Captain-General remarks in the first of these letters, that he had received no intelligence respecting a landing until my communication reached him. But he informs me in both that he has given strict orders for inquiry, and adds that the Lieutenant-Governor of Guanajay, in whose jurisdiction Mariel is, declares that there has been no infraction of the law at that spot.

On the same day I replied to General Dulce in the letter of which a copy is transmitted to your Lordship. I express my thanks for the prompt measures which his Excellency has taken to investigate this matter. But I feel it my duty to remark, that no doubt exists in the public mind that an expedition has been successfully introduced into the island within the preceding few days, nor do I affect to disbelieve it myself.

On the 3rd of November I received a further letter of which a translation is inclosed, stating that in the district of Pinar del Rio there has been no landing. But full investigation is promised, the result of which shall be communicated to me.

Thus matters remained until the 14th, when I received another letter from the Secretary of Government, dated the preceding day (a translation inclosed). In it, I am informed that reports have been received from the Lieutenant-Governors of Mariel, Pinar del Rio, Jaruco, and Matanzas, and that no landing of negroes has taken place in

any of those districts. I am also told that the brig "*Yucatan,*" to which I alluded in my letter of the 31st of October, was sold at the Canary Islands.

I replied at once to this letter under date of the 14th instant. I have the honour to transmit to your Lordship a copy of my answer.

Whilst endeavouring to do full justice to the good intentions of the Captain-General, and even to those of the local authorities, I am compelled to express my disbelief of the statement that there has not been an introduction of negroes. I even furnish some particulars which ought to convince General Dulce that I am not ill-informed; and I openly state, that the newly-arrived slaves were conveyed to the estate of a certain Don Francisco Marty.

I have not yet received a reply to this last letter; but, as the "Corsica" leaves for New York to-morrow, I think it as well to transmit this case to your Lordship in its possibly unfinished state.

The fact is that there is not the slightest doubt in the mind of any one that this man Marty has successfully run a cargo of negroes. They were landed close to his estate on the Rio Pan de Azucar; he himself left town to receive them; and his friends here make no secret of his success.

With reference to this particular case I may add, that a portion at least of the newly-landed negroes were twice captured by the authorities near the Pau de Azucar, and were twice stolen from their pen during the night. Of this at least I am assured by a person worthy of credit. Unless this story is an entire fabrication it is difficult to understand how the Captain-General can be kept in ignorance of so remarkable an occurrence.

Inclosure 1 in No. 201.

Consul-General Bunch to the Captain-General of Cuba.

Most Excellent Sir, *Havana, October* 31, 1865.

INFORMATION has reached me, from what I consider a trustworthy source, that a cargo of negroes from Africa has been very recently landed in this island.

It is said that nearly 900 left Africa in a brig called the "*Yucatan.*"

Of this number it is supposed that between 600 and 700 were disembarked within the last week near the port of Mariel. Another account makes the place of landing to the windward of Havana.

I should feel greatly obliged if your Excellency will inform me whether your attention has been called to this matter; and if so, what the truth may be respecting it.

I have, &c.

(Signed) ROBERT BUNCH.

Inclosure 2 in No. 201.

The Secretary to the Captain-General of Cuba to Consul-General Bunch.

(Translation.)

Sir, *Havana, November* 1, 1865.

HIS Excellency the Supreme Civil Governor has received the letter of your Honour of yesterday's date, in which you communicate to him intelligence of a landing of African negroes which is supposed to have taken place near the port of Mariel, or to windward of this city.

His Excellency had received no intelligence of this landing until you gave it to him. He immediately dispatched orders, by telegraph, for inquiry into the matter.

It seems strange that a brig should have been able to carry 900 negroes, which would rather be the cargo of three brigs; but, as I have said, the necessary measures will be taken to ascertain the truth.

By his Excellency's orders I have the honour to forward to you this reply, and there will be communicated to you all the particulars which may be obtained.

God preserve, &c.

The Secretary:

(Signed) JOSE VALLS Y PUIG.

Inclosure 3 in No. 201.

The Secretary to the Captain-General of Cuba to Consul-General Bunch.

(Translation.)

Sir, *Havana, November* 1, 1865.

HIS Excellency the Governor and Captain-General has just received the following telegram:—

"*Guanajay, November* 1, 12·10 P.M.

"The Lieutenant-Governor of Guanajay to his Excellency the Supreme Civil Governor.

"The intelligence which has been given to your Excellency is entirely false; nevertheless, I am going out at once, and by to-morrow's post I am sure that I shall repeat to your Excellency what I now say."

Guanajay is the jurisdiction to which Mariel and the adjacent coast belong.

By order of his Excellency, I forward to your Honour this information, and I shall continue to do so, as I had the honour of saying in my letter of this morning, which I presume that you have received.

God preserve, &c.

The Secretary:
(Signed) JOSE VALLS Y PUIG.

Inclosure 4 in No. 201.

Consul-General Bunch to the Captain-General of Cuba.

Most Excellent, Sir, *Havana, November* 1, 1865.

I HAVE had the honour to receive the two letters which the Secretary of the Government has addressed to me, under date of to-day, on the subject of the supposed landing of negroes from Africa, respecting which I communicated with your Excellency yesterday.

I receive, with much satisfaction, the intelligence of the prompt measures which your Excellency has taken to discover the truth of this report, as well as the denial of the Lieutenant-Governor of Guanajay that a landing has taken place in his district.

At the same time I feel bound to remark that an introduction of negroes into the island within the last ten days is assumed as certain by public report. I have heard of it from many sources, each independent of the other, and details are given which, although not reducible to proof, compel me to fear that the vigilance of the authorities has, in this instance, been eluded.

But it will afford me sincere pleasure to learn from the result of your Excellency's inquiries that such has not been the case.

With sentiments, &c.
(Signed) ROBERT BUNCH.

Inclosure 5 in No. 201.

The Secretary to the Captain-General of Cuba to Consul-General Bunch.

(Translation.)

Sir, *Havana, November* 2, 1865.

IN conformity with that which I represented to your Honour yesterday, and by order of his Excellency the Supreme Civil Governor, I have the pleasure of saying now that his Excellency, in consequence of the orders which he issued on the subject, has received a telegram from the Lieutenant-Governor of Pinar del Rio, stating that in that jurisdiction there was not the slightest rumour of a landing of negroes, but that he was about taking, nevertheless, measures for investigating the matter. The result of this inquiry will be communicated to your Honour without delay.

God preserve, &c.

The Secretary,
(Signed) JOSE VALLS Y PUIG.

Inclosure 6 in No. 201.

The Secretary to the Captain-General of Cuba to Consul-General Bunch.

(Translation.)

Sir, *Havana, November* 13, 1865.

WITH reference to my official communication of the 2nd instant, made by order of his Excellency the Supreme Civil Governor, I have the honour to say to your Honour, by the same Order, that his Excellency has received communications from the Lieutenant-Governors of Mariel and Pinar del Rio, as well as from those of Jaruco and Matanzas, in which are renewed the positive assurances that in their respective jurisdictions there was not even the slightest rumour of an expedition having attempted to land.

His Excellency also directs me to say to your Honour that, according to information on which he entirely relies, the brig "*Yucatan*," to which you allude, not having been able to carry out her intention of embarking in the Slave Trade, was sold at the Canary Islands, together with her cargo, which consisted of rum and other articles which she was carrying to the coast of Africa.

God preserve, &c.

The Secretary,
(Signed) JOSE VALLS Y PUIG.

Inclosure 7 in No. 201.

Consul-General Bunch to the Captain-General of Cuba.

Most Excellent Sir, *Havana, November* 14, 1865.

I HAVE had the honour to receive the letter which the Secretary of Government addressed to me by your Excellency's order, under date of yesterday.

In it your Excellency is pleased to state that you have received reports from the Lieutenant-Governors of Mariel, Pinar del Rio, Jaruco, and Matanzas, to the effect that no landing of negroes from Africa had taken place within their respective jurisdictions at or about the period mentioned in my letters to your Excellency of the 31st of October and 1st instant.

Your Excellency remarks, further, that the brig "*Yucatan*," from which it was said that this supposed landing had been effected, had been sold, with her cargo, at the Canary Islands.

I am happy to receive the assurance of your Excellency that no evidence is to be found of a landing having taken place. I am satisfied that if negroes have really been introduced at the time and place to which public rumour and my own information point, it has been in spite of the vigilance of the local authorities and in defiance of your Excellency's orders. But it is out of my power to divest myself of the belief that the secresy in which slave-trading operations are necessarily enveloped has been successful, in this instance, in diverting suspicion, and in concealing from your Excellency the traces of an infraction of the law. I am unable to resist the conviction that public report is not mistaken when it declares that an expedition of about 700 negroes did land at Malas Aguas, near the Rio Pan de Azucar, whence they were conveyed to the estate of a certain Don Francisco Marty.

As regards the brig "*Yucatan*," your Excellency will find that, in my letter of the 31st of October, I only mentioned it as probable that she was the vessel engaged in the supposed landing. It is now certain that it was not this brig; but I am persuaded that a brig has lately landed negroes, as a large vessel of this rig, evidently a slaver, arrived at Vera Craz, in ballast, seven or eight days after the date at which it is supposed that a landing took place on the coast of this island.

With sentiments, &c.
(Signed) ROBERT BUNCH.

No. 202.

Consul-General Bunch to Earl Russell.—(Received December 30.)

My Lord, *Havana, November* 27, 1865.

I HAVE the honour to acknowledge the receipt of Mr. Murray's despatch of the 28th ultimo, together with the copy of a despatch from Her Majesty's Commissioner

at Loanda, in which it is stated that a Spanish vessel had embarked a cargo of slaves, about the 10th August last, between Ambrizette and Mangue Grande, and had succeeded in eluding the vigilance of Her Majesty's cruizers.

Although no particulars are given by Her Majesty's Commissioner of the size of this vessel, or of the number of negroes which she is supposed to have embarked, I think it probable that this expedition may be the one which formed the subject of my despatches to your Lordship of the 26th of September and 4th of October of this year. The date of the supposed departure from Africa seems to correspond with that of the arrival in Cuba.

Your Lordship will remember that the whole of the negroes composing the expedition were captured by the Spanish authorities. They were about 145 in number.

I have, &c.

(Signed) ROBERT BUNCH.

No. 203.

Consul-General Bunch to Earl Russell.—(*Received December* 30.)

(Extract.) *Havana, November* 27, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 31st of October, with which you are pleased to transmit to me copies of certain papers which have been communicated to your Lordship by the Colonial Office, having reference to the Slave Trade.

Your Lordship remarks that these papers would lead to the belief that at least one landing of slaves had taken place in Cuba of which Her Majesty's Government had not been informed by me, and adds that you would be glad to be furnished with any observations which I may have to offer on the contents of the papers now inclosed to me.

In reply I have the honour to state that I received, on the 13th ultimo, from the Governor of the Bahamas, copies of these same papers. In my answer to his Excellency's letter on this subject, I stated my views respecting this supposed landing. A copy of my answer, dated the 16th of October, 1865, is inclosed herewith.

Your Lordship will perceive that I am not in a position either to admit or to deny that such an expedition as that which is reported to have been at Cayo Romano in May last, did subsequently land on the coast of Cuba. I confess that the evidence of Captain Glenton, of the "Ocean Monarch," points very strongly to the fact that an attempt was about to be made. On the other hand, there is not only no proof that any such attempt was successful, but the assurances of the Captain-General, the opinion of the Vice-Consul at Cardenas, and the absence of any rumour of a landing at that time and place, would induce the belief that Captain Glenton's report was groundless.

After the receipt of Governor Rawson's despatch, I discussed the subject of this supposed landing fully with the Captain-General. His Excellency was confident that it had never been effected, but it is, of course, possible that it might have been made without his knowledge.

On the whole I incline to the belief that no slaves have been introduced into the island from Cayo Romano during this year. I have never heard such a landing alluded to, even as a rumour, by any one here, and the inquiries of Mr. Vice-Consul Schneidler, at Cardenas, certainly went to prove that it had not taken place. It is, nevertheless, impossible to speak positively on the subject. The coast of Cuba is of great extent, and the facilities for illegal traffic are numerous. But I am convinced that, as a rule, no slaving expedition is successfully conducted to its close without some intelligence of it reaching the Consulate-General, either directly or indirectly.

Inclosure in No. 203.

Consul-General Bunch to the Governor of the Bahamas.

Sir, *Havana, October* 16, 1865.

I HAVE the honour to acknowledge the receipt (on the 13th instant) of your Excellency's despatch of the 21st ultimo, together with a copy of a report made to you by the Captain of the Light-house yacht with regard to the landing of a cargo of slaves at Cayo

Romano in May last. I beg leave to offer my thanks to your Excellency for this information.

The statements contained in Captain Stuart's Report, and particularly the evidence of Captain Glenton, of the schooner "Ocean Monarch," as to the conduct of the proprietors of Cayo Romano when he visited that island in May last, would certainly induce the belief that negroes had been landed there about that time. On the other hand there is no proof that either these or other negroes were landed in Cuba. The probabilities point the other way, as no tidings of such an expedition having disembarked can be procured, and the Captain-General has repeatedly assured me, verbally and in writing, that from May 1864, to September, 1865, not a single negro had been introduced into Cuba. But it is difficult to imagine how these negroes were disposed of if they were not landed in Cuba.

It is, of course, very possible that such might be the case without the knowledge either of the Captain-General or of the Lieutenant-Governors of the district. But this is not probable; besides which my own information, from anonymous and other sources, is generally to be depended upon.

I shall not fail to communicate these details to the Captain-General, although it is, of course, too late to recover the negroes, if they were ever landed.

The mention by Mr. Wiggins of the appearance of a suspicious vessel off Cay Sal, is a coincidence which should not be disregarded.

I have further to thank your Excellency for the copy of the report respecting the visit of the "Georgina" to Anguilla, and to congratulate you upon the fact that no use seemed to have been made of that island for slave-trading purposes for a long period. I feel assured that the measures taken by your Excellency will have an excellent effect in preventing its use in the future.

I have, &c.
(Signed) ROBERT BUNCH.

No. 204.

Consul-General Bunch to the Earl of Clarendon.—(*Received December* 30.)

My Lord, *Havana, November* 30, 1865.

I HAVE the honour to acknowledge the receipt of Earl Russell's despatch of the 31st of October, on the subject of the successful capture by the Spanish authorities of this island of a slave-trading expedition which landed on the south side during the month of September last.

In obedience to the instructions contained in that despatch that I should take an opportunity of expressing to the Captain-General of Cuba the gratification of Earl Russell in bearing testimony to his Excellency's energy and good faith in matters relating to the Slave Trade, I have the honour to inclose the copy of a letter which I addressed to General Dulce in this sense. A copy of his reply is also transmitted to your Lordship.

General Dulce has expressed himself personally to me as much flattered by Earl Russell's appreciation of his efforts.

I have, &c.
(Signed) ROBERT BUNCH.

Inclosure 1 in No. 204.

Consul-General Bunch to the Captain-General of Cuba.

Most Excellent Sir, *Havana, November* 27, 1865.

I HAVE had the satisfaction of reporting to Her Majesty's Principal Secretary of State for Foreign Affairs the particulars of the slave-trading expedition which effected a landing in the month of September last, on the south side of this island, between the jurisdictions of Pinar del Rio and San Cristobal.

It was particularly agreeable to me to be able to inform Earl Russell that the whole of the negroes of which that expedition was composed had been captured by the authorities of the island, acting under your Excellency's direction.

I am instructed by Earl Russell to say to your Excellency, that it is very satisfactory to his Lordship to learn that the only cargo of slaves which, so far as Her Majesty's Government are aware, had been introduced into Cuba for the twelve months previous to the date of this landing should have been successfully captured by the Spanish authorities.

am also directed to express to your Excellency the gratification which is felt by Earl Russell in bearing testimony to the energy and good faith with which your Excellency has acted in carrying out the engagements of the Spanish Crown for the suppression of the Slave Trade.

I beg leave to assure your Excellency of the pleasure with which I make this communication to you, and of the high consideration, &c.

(Signed) ROBERT BUNCH.

Inclosure 2 in No. 204.

The Secretary to the Captain-General of Cuba to Consul-General Bunch.

(Translation.)

Sir, *Havana, November* 28, 1865.

HIS Excellency the Supreme Civil Governor has received with great satisfaction the letter which your Honour was so good as to address to him under date of yesterday, stating that Earl Russell, forming his judgment upon information transmitted to him by your Honour, recognizes the energy with which his Excellency carries out the orders of the Government of Her Catholic Majesty for the suppression of the Slave Trade.

His Excellency directs me at the same time to express to your Honour the double pleasure with which he has received this communication, as it proves the impartiality and justice with which you forward to the Government you represent the information which you obtain, and thus give evidence of your Honour's good faith and honour.

God preserve, &c.

(Signed) JOSE VALLS Y PUIG.

No. 205.

Consul-General Bunch to the Earl of Clarendon.—(*Received December* 30.)

My Lord, *Havana, December* 2, 1865.

THERE appeared in one of the papers of this city a few days ago, a document which purported to be a copy of a Decree lately issued by the Queen of Spain on the subject of the emancipados, or liberated Africans, who are to be found in the Islands of Cuba and Puerto Rico.

By its provisions, arrangements were made for removing these persons to the Spanish possessions on the coast of Guinea, or to the continent of Africa, at the expense of the Spanish Government. The system which has heretofore prevailed of assigning them to masters at the will of the Captains-General is declared to be abolished, and other changes, of a nature favourable to this class of persons, are ordered to be carried into effect without delay.

I applied privately to the Captain-General for a copy of this Decree, which was at once given to me. I have the honour to inclose to your Lordship a translation of it, although I feel assured that it has already reached you from Madrid.

There can be no doubt that this Decree is a step in the right direction. The abuses which have been far many years past committed upon the emancipados must necessarily be brought to an end, whilst its general effect upon the system of slavery in the West Indian colonies of Spain cannot be other than favourable.

It only remains that the new system shall be carried faithfully into practice. So long as General Dulce remains at the head of this Government I believe that it will.

I have, &c.

(Signed) ROBERT BUNCH.

Inclosure in No. 205.

Decree respecting the Emancipados in the Islands of Cuba and Porto Rico.

[See Inclosure 1 in No. 158.]

SPAIN. (*Consular*)—*Porto Rico.*

No. 206.

Acting Consul Cowper to Earl Russell.—(*Received February* 1.)

My Lord, *Porto Rico, January* 3, 1865.

I HAVE much pleasure in informing your Lordship that no attempt at African Slave Trade has been made in this island during the past quarter.

I have, &c.

(Signed) FRANCIS H. COWPER.

No. 207.

Acting Consul Cowper to Earl Russell.—(*Received April* 28.)

My Lord, *Porto Rico, April* 4, 1865.

I HAVE the honour to inform your Lordship that no attempt at Slave Trade has been made on the coast of this island during the past quarter.

I have, &c.

(Signed) FRANCIS H. COWPER.

No. 208.

Acting Consul Cowper to Earl Russell.—(*Received July* 31.)

My Lord, *Porto Rico, July* 1, 1865.

I HAVE the honour to state to your Lordship that no attempt at African Slave Trade has been made on the coast of this island during the past quarter.

I have, &c.

(Signed) FRANCIS H. COWPER.

No. 209.

Acting Consul Cowper to Earl Russell.—(*Received October* 30.)

My Lord, *Porto Rico, October* 1, 1865.

I HAVE the honour to inform your Lordship that no attempt at the Slave Trade has been made on the coast of this island during the past quarter.

I have, &c.

(Signed) FRANCIS H. COWPER.

SPAIN. (*Consular*)—*Teneriffe.*

No. 210.

Consul Grattan to Earl Russell.—(*Received July* 24.)

My Lord, *Teneriffe, July* 12, 1865.

I HAVE the honour to transmit herewith the copy and its translation of a letter which I have received from the "Comandante Principal de Marina" of this province, in reply to a communication which I addressed to him on the 10th instant, informing me that the master and crew of the Spanish vessel "*America*," which had been condemned as a slaver by the Mixed Commission Court at Sierra Leone, who were landed at this port from Her Majesty's ship "Gladiator," Captain F. H. Shortt, on the 13th of September last, and sent to the Audiencia of Grand Canary for trial, have been acquitted by the Judge of First Instance of that district.

I have, &c.

(Signed) HENRY C. GRATTAN.

Inclosure in No. 210.

The Comandante Principal de Marina to Consul Grattan.

(Translation.) *Santa Cruz, Teneriffe, July* 12, 1865

THE Ayudante of the district of Canary, under date of June 29 last, transmits a communication from the Judge of First Instance of that Department, which I copy literally :—

"I beg to state to you, for your information, that the master, mate, and crew of the vessel '*America*' have been acquitted by a verdict dated this day of the charge which had been brought against them of having been illicitly engaged in the Slave Trade."

In consequence these seamen having presented themselves at this "Comandancia," passports have been granted to them in order that they may proceed to the ports where they are respectively registered as seamen.

Which I think it right to state to you in reply to your despatch of the 10th instant.

God preserve, &c. (Signed) EUSTAQUIO SALCEDO.

TURKEY.

No. 211.

Sir H. Bulwer to Earl Russell.—(Received January 21.)

My Lord, *Cairo, January 6, 1865.*

FROM despatches received from Jeddah I learn that the Slave Trade is carried on there by sending negroes, in reality slaves, but with free papers, by the Egyptian steamers to Suez. In the first place, I have written to Constantinople requiring that urgent and decided measures should be taken to put down the fraud committed, and to detect and punish the parties guilty of it.

In the next, I have seen and spoken to the Viceroy as to the course to be adopted here with regard to Egyptian vessels.

His Highness seems willing to act quite honestly with us in this matter, and he speaks fairly. "I can't," he observes, "without ordering that no negro should be allowed to have a passage, which would be unfair, prevent negroes coming who have free papers; but I endeavour to ascertain if they are really free on arriving, and where I detect them not to be so, I not only set them free, but take care of them, and if children educate them."

What I suggested was, that on a vessel arriving the negroes should be collected and their papers examined, and if these papers regularly constituted them free, they should be publicly told they were so, and the protection of the Government offered.

The Viceroy said that what was done now was more than equivalent to this; but that he should wish our authorities to see and control the action of his own, and that he would order the Governor at Suez to inform Mr. West when a vessel arrived in order that he might be present and see the course followed, and improve it, if possible, by any suggestions of his own.

The Viceroy then continued to say that he desired to go further than this, and dry up the evil at its source. This source, he says, is the Soudan, where various foreigners carry on the most horrible system of negro kidnapping and hunting down. He added, "Let the European Governments give such instructions to their Agents there as will enable mine to act efficiently, and we will destroy the whole Traffic. I am most desirous to do this, for the negroes now suppose that I encourage and sanction the atrocities practised against them, which makes my name odious to them; whereas what is doing, is being done by foreigners against my interests, and in opposition to my authority."

I have, &c.

(Signed) HENRY L. BULWER.

P.S.—I think that if these measures do not succeed, the Viceroy will give orders to prevent any negroes from coming by Egyptian steamers.

H. L. B.

No. 212.

Sir H. Bulwer to Earl Russell.—(Received January 21.)

My Lord, *Cairo, January 9, 1865.*

SINCE writing my despatch of the 6th instant, I thought it advisable, in order to avoid the possibility of any misconception as to the ideas of the Viceroy, to send

Mr. Stevens to read it to His Highness, and I have now the honour to inclose a report of the interview which Mr. Stevens had with His Highness on the occasion above referred to.

I have, &c.
(Signed) HENRY L. BULWER.

Inclosure in No. 212.

Consul Stevens to Sir H. Bulwer.

(Extract.) *Cairo, January* 7, 1865.

IN accordance with your Excellency's instructions I saw the Viceroy this morning, and read him the despatch you propose sending to Earl Russell on the subject of the Slave Trade, so that there should be no mistake on the subject.

His Highness asked me to assure your Excellency that he will prevent Egyptian steamers bringing slaves into Egypt, but at the same time he remarked that the measure would do little towards attaining the object of preventing or diminishing the traffic. "I fear, indeed," said His Highness, "it may rather tend to aggravate the condition of the unfortunate negroes; for instead of coming into the country by steamers, they will be conveyed by coasting boats, and clandestinely landed in open roadsteads, where it will be difficult, if not impossible, to detect them. Steamers afford the slaves a certain degree of comfort and protection, whereas boats take a long time to come up, and afford no protection whatever from the cruel treatment they generally receive from dealers and crews. A radical remedy against the traffic ought to be found. The failure which has almost invariably attended all praiseworthy efforts to suppress this inhuman trade in these parts is attributable to a simple cause. The Soudan is the country from whence the evil originates; there are at present three native dealers who monopolize the traffic, and who are aided and abetted by Europeans. Negroes are collected from all over that country, and embarked at Massowah and Souakin, in boats navigating under European colours, and avowedly the property of foreigners; the local authorities have therefore no control over them, and can in no wise interfere. Let me have the power to confiscate such boats and their cargoes, and in fact treat them as I would my own subjects, and I promise that ere long the iniquitous traffic will receive its death-blow."

No. 213.

Sir H. Bulwer to Earl Russell.—(Received January 26.)

My Lord, *Cairo, January* 17, 1865.

WITH reference to my despatch of the 6th instant, I have the honour to transmit to your Lordship herewith a translation of an order that has been sent to the Governor of Suez, with the view of checking the Traffic in Slaves. It is understood that one of the foreign agents named will be Mr. West.

I have, &c.
(Signed) HENRY L. BULWER.

Inclosure in No. 213.

Letter addressed by the Egyptian Government to the Governor of Suez, dated 11 *Chaban*, 1281 (*January* 9, 1865).

(Translation.)

SLAVE Trade having been for some time past strictly prohibited by the Government, the duty of its employés consists in examining, on the arrival of steamers and sailing-vessels, if negroes on board are free, and if they have any document declaring that they are so. After such examination all such negroes should be sent to the police of Cairo to prove that they have obtained their freedom. Should the case be otherwise, an emancipation letter should be given to them by the police, in order that they may go freely wherever they like.

Such was the rule observed by you and the other employés of the Government. Lately the steamers of the "Azizïé" have been accused of having brought slaves; as such a practice is contrary to the principle and orders of the Government, the Company have inquired into the fact, and it has been found that its steamers do not receive slaves on

board but such slaves as have obtained their freedom, and who can produce a document to that effect, thus placing them on a footing of servants instead of slaves.

Although such has been the case, yet in order to prevent, in future, similar statements affecting the authorities and the honour of the Company, and in order to render this publicly known, you are requested, on the arrival at Suez of every steamer or vessel within your jurisdiction, to go on board yourself, or to send your agent in your absence, taking with you as witnesses, in a friendly and unofficial manner, one or two employés of foreign Powers established there, in order to examine and carry out the Government instructions. If there are any negroes on board, see whether they are free; if they have the necessary document testifying their freedom; if they are satisfied with their masters, and if they wish to remain with them. You will then clearly explain to them that they are free to go wherever they like, to serve the persons whom they choose, and engage themselves in whatever business they wish. If amongst them there are any who cannot prove that they are free, or do not like to remain with their masters, a letter of freedom shall be immediately delivered to them by the Divan (Local Council), so that they may go wherever they please, and every assistance and facility shall be granted to them.

You are requested to give your particular care and attention to this subject.

No. 214.

Earl Russell to Sir H. Bulwer.

(Extract.) *Foreign Office, February* 22, 1865.

I HAVE received your Excellency despatches of the numbers and dates noted in the margin,* relative to the Traffic in African Slaves carried on between the ports of the Red Sea and Suez, and reporting what passed at conversations which your Excellency and Mr. Stevens had with the Viceroy of Egypt on this subject; and I have to acquaint your Excellency that I entirely approve the language held by you to the Viceroy, and the steps you have taken with the view to put a stop to this traffic.

With regard to the boats to which His Highness refers as belonging to foreigners, and as being engaged in shipping slaves from the ports of Massowah and Souakin, I have to state to your Excellency that I should be glad to be informed under what colours the boats in question navigate, and I should also be glad to learn what European Governments have Agents in the Soudan, and what measures the Viceroy of Egypt would suggest should be adopted for the purpose of putting a stop to the horrible system of kidnapping that is stated to be carried on by European Agents in that part of Africa.

The Reports received by Her Majesty's Government in 1862 and 1863 relative to the system of razzias and kidnapping organized by European Agents on the White Nile, under the pretence of carrying on trade with the tribes in the neighbourhood of that river, show a state of things disgraceful to all concerned in them, and more especially to the authorities on the Egyptian frontier. There cannot be any doubt that the Egyptian authorities connive at, if they do not participate in, the trade in African slaves, for if this were not the case it would be impossible for either European or native Agents to carry on the traffic.

Your Excellency will omit no opportunity of impressing upon the Viceroy the deep interest felt by Her Majesty's Government in the suppression of the African Slave Trade, and you will state that they will at all times be most happy to co-operate with His Highness, as far as it may be in their power to do so, in any measures having for their object the putting a stop to this inhuman traffic.

It will be desirable that you should keep Mr. Colquhoun informed of the communications which may pass on this subject between your Excellency and this Department; and I inclose, for your Excellency's information, a copy of a despatch which I have addressed to Mr. Stuart at Constantinople.†

No. 215.

Earl Russell to Mr. Stuart.

(Extract.) *Foreign Office, February* 22, 1865.

I TRANSMIT to you herewith copies of despatches, as marked in the margin,* from Sir Henry Bulwer, reporting what passed at conversations which his Excellency and

* Nos. 211, 212, and 213. † No. 215.

Mr. Stevens had with the Viceroy of Egypt on the subject of the Trade in African Slaves carried on between the Turkish ports in the Red Sea and Egypt.

I also inclose a copy of a despatch on this subject which I have addressed to Sir Henry Bulwer.*

The Viceroy would appear to have taken the measures necessary for preventing, as far as it is in his power to do so, the introduction of slaves into Egypt by the steamers belonging to the Azizieh Company under the pretence of their being free negroes; but you will see what His Highness states with regard to the export of slaves from the ports of Massowah and Souakin, and the desire he expresses to have those ports placed under his jurisdiction, as well as his willingness to pay the Porte an annual tribute equal to the revenue it now receives from those places.

Her Majesty's Government have had occasion to complain repeatedly of the export of slaves from Massowah, but the representations of Her Majesty's Ambassador on this subject have had no other effect than to elicit promises that orders would be given to put a stop to the Traffic, but the export nevertheless still continues.

You will acquaint the Turkish Government that you have been instructed to support the representations made by Her Majesty's Ambassador, requiring that urgent and decided measures should be taken to put a stop to the export of slaves from the Turkish ports in the Red Sea, and to punish the parties engaged in carrying on this Traffic in violation of the orders of the Sultan.

No. 216.

Sir H. Bulwer to Earl Russell.—(Received February 17.)

My Lord, *Cairo, February 10, 1865.*

I HAVE the honour to transmit to your Lordship herewith copy of a despatch with its inclosure which I have received from Her Majesty's Consul at Alexandria relative to the Traffic in Slaves carried on in the Soudan.

I hope shortly to be able to forward to your Lordship a statement of the measures which the Viceroy deems most adapted to put an end to this traffic, which has so long been a disgrace to this country.

I have, &c.
(Signed) HENRY L. BULWER.

Inclosure 1 in No. 216.

Consul Stanley to Sir H. Bulwer.

Sir, *Alexandria, January 12, 1865.*

I HAVE the honour to inclose a copy of a letter addressed to Mr. Lindon, the Secretary of the Egyptian Trading Company, from Mr. Joyce, who has been for some time in Upper Egypt.

Mr. Lindon was correspondent for the "Times," and on a letter appearing accusing British subjects of trafficking in slaves in Upper Egypt, I asked him who was his informant, and requested him to furnish me with all particulars. He then wrote again to his agent, and the inclosed letter is the result.

I have, &c.
(Signed) G. E. STANLEY.

Inclosure 2 in No. 216.

Mr. Joyce to the Egyptian Trading Company, Cairo.

(Extract.) *Khartoum, November 10, 1864.*

IN reply to your private letter of the 16th September, containing a request of the Directors for information on the subject of the Slave Trade, lately so extensively carried on in the Soudan, I can add but little to that of June, July, and August last.

* No. 214.

The fact is well known that for some years past a large number of boats fully armed and equipped have annually left Khartoum for the capture of slaves from the Shillooke, Dinkia, and Barre tribes, or others bordering on the White River; that immense numbers have been brought here, principally women and children, and have been publicly sold to the Jellahs from Cairo, Souakin, and Massowah.

These expeditions this year have exceeded any former period, and it is said the most revolting atrocities have been committed on the defenceless negroes. In addition, however, to the expeditions fitted out by the slave-hunters, it is also proved that the traders, both European and native, who have establishments in the interior, professedly for the sole purchase of ivory, have directly or indirectly been engaged in the Slave Traffic, and in the habit of allowing their agents, soldiers, &c., to bring down a certain number of slaves in lieu of their salary.

During the last season no less than 120 boats left Khartoum for the White River, each with an equipment of fifty or sixty armed men.

The average pay of these men is 45 Turkish piastres per month, and they usually receive an advance of five months' salary either in money or merchandize (the latter at a most exorbitant price) previous to their departure from Khartoum.

Now an ordinary daily labourer here receives 3 Turkish piastres per day, equal to double that paid on the White River; so what inducement can these men have to leave their families for a period of seven or eight months, and risk their lives in similar expeditions, unless they are largely reimbursed for all the danger, fatigue, and privations they are obliged to undergo? The matter is easily explained. Each man is allowed to bring down as many slaves as can be possibly stowed in the boat, and the proceeds of their sale amply compensate him for the small salary he receives, and the extortionate price charged by his employer for any necessaries, such as clothing, &c., he may require on the voyage or in the interior.

From what I have seen since my arrival here, and information obtained in many cases from the men themselves, I have no hesitation in saying that all traders on the White River, or who have establishments up there and annually send expeditions, are, or have been, equally engaged in the disgraceful practices and atrocities committed on the negroes; and though some of them may not be personally guilty of having seized or sold slaves, they have permitted their agents to do so, being well aware of the fact and indirectly partners in the profits.

The expedition referred to in your letter, which is said to belong to an English subject, I think must be one fitted out by a certain Michael Luftolla, or, as he is termed here, Halil-il Sciane. This man is an Austrian protégé; but some years ago acted as British Consular Agent, and has since been in the habit of hoisting the English flag on his boats, two of which were seized by the Government on the return of the expedition, and no less than 850 negroes were found on board in a condition so horrible that it was positively sickening to witness. They were in fact a living mass of human skeletons, and from their appearance I am sure cannot have tasted food more than once in every three or four days.

It is impossible to ascertain how many died on the voyage, but I should say at least one-third, as when the boats arrived here they had not a single kilo of grain on board. I reported the circumstance at the time to the English Consul-General, and trust some steps have been taken for the punishment of the author of this infamous outrage.

No. 217.

Mr. Stuart to Earl Russell.—(*Received March* 19.)

My Lord, *Constantinople, March* 4, 1865.

I HAVE the honour to inclose herewith copies of three notes which I addressed to Aali Pasha; the first two, in conformity with the instructions contained in your Lordship's despatches of the 28th November to Sir Henry Bulwer, and of the 29th December last to me; and the third, in consequence of further information sent to me by Sir Henry Bulwer relative to the Slave Trade which is carried on in the Red Sea under the Turkish flag.

In Aali Pasha's answer, a copy of which is also inclosed, his Highness states that the Porte has sent fresh instructions to the Governor-General of the Hedjaz, with a view to secure the extinction of that odious Traffic in a prudent and effectual manner. When I spoke to his Highness upon the subject he informed me that the Trade could not be suddenly put an end to without serious danger of exciting an insurrection, which the force at the

disposal of the Governor-General might not be able to suppress, and that great prudence and caution would be necessary in order to deal successfully with the evil.

I have, &c.
(Signed) W. STUART.

Inclosure 1 in No. 217.

Mr. Stuart to Aali Pasha.

Sir, *Constantinople, December* 28, 1864.

IT has been reported to Her Majesty's Government by Mr. H. Calvert, the Acting British Consul at Jeddah, that the Slave Trade is carried on to a considerable extent in the Red Sea by the vessels belonging to the Azizieh Steam Navigation Company; one of them, the "*Yembo*," on board of which Mr. Calvert took passage to Jeddah, having, it is stated, on her previous voyage to Suez conveyed several hundred slaves to that port, under the pretext that they were liberated slaves going to Egypt on business of their own.

It has also been represented in a report from Commander Purvis, of Her Majesty's ship "Pantaloon," that a considerable Traffic in Slaves is being carried on between Massowah and Jeddah by dhows sailing under the Turkish flag, and that no less than 300 slaves were embarked on the day previous to the arrival of the "Pantaloon" at the former port.

I have consequently been instructed by Earl Russell to bring the above information to the knowledge of the Ottoman Government, and to press upon your Highness the necessity of adopting stringent measures for putting a stop to the Slave Trade, which is being carried on under the Ottoman and Egyptian flags in the Red Sea.

I avail, &c.
(Signed) W. STUART

Inclosure 2 in No. 217.

Mr. Stuart to Aali Pasha.

Sir, *Constantinople, January* 8, 1865.

WITH reference to the note which I had the honour to address to your Highness on the 28th ultimo, respecting the Slave Trade which is carried on under Turkish colours in the Red Sea, I beg to communicate to you herewith a copy of a letter from the India Office, with extracts of its inclosures containing further information upon that subject.

It would appear from these papers that, notwithstanding the firman of the late Sultan forbidding this Traffic, it is extensively carried on not only in Turkish vessels, but also in Turkish ports, with the consent of the authorities, who are alleged to participate in its profits.

I have therefore been instructed by Earl Russell to call the serious attention of the Ottoman Government to the present state of things, and to state that Her Majesty's Government expect that stringent orders will be issued to the authorities in the Red Sea for the removal and punishment of those officers who have been guilty of violating the orders of the Sultan, by conniving at and participating in the profits of the Traffic in African slaves.

I avail, &c.
(Signed) W. STUART.

Inclosure 3 in No. 217.

Mr. Stuart to Aali Pasha.

Sir, *Constantinople, January* 19, 1865.

I HAD the honour to address representations to your Highness on the 28th ultimo and on the 8th instant, respecting the Slave Trade which is being carried on by means of Turkish vessels and in Turkish ports in the Red Sea.

Further information has since been sent to me by Sir Henry Bulwer upon the same subject, from which it appears that the Soudan is supposed to be the district in which the

evil complained of has its origin; that negroes are collected from all parts of that district and embarked at Massowah and Souakin—ports at which, owing to distance and other causes, the Porte exercises no proper control over the local authorities. His Excellency's information, moreover, confirms that which I had previously communicated to your Highness relative to the part taken in the Traffic by the ships of the Azizieh Steam Navigation Company, it having been reported to him in a despatch from Her Majesty's Consul at Jeddah that each steamer bound from that port to Suez is crowded with slaves, who are passed off as liberated negroes going to Egypt on business of their own, and furnished with fictitious papers of emancipation.

I could go into further details on the subject, but enough has been said to convince your Highness that it is high time that such orders should be issued as will put an immediate and effectual stop to proceedings which are as disgraceful to humanity as they must be at variance with the wishes and intentions of the Ottoman Government.

I avail, &c.

(Signed) W. STUART.

Inclosure 4 in No. 217.

Aali Pasha to Mr. Stuart.

M. le Chargé d'Affaires, *Sublime Porte, le 22 Février*, 1865.

J'AI reçu avec leurs annexes les deux notes que vous avez bien voulu m'adresser en date des 8 et 19 Janvier, relativement à la Traite d'Esclaves qui, d'après les informations parvenues à votre connaissance, s'exerce dans la Mer Rouge par des navires sous pavillon Ottoman.

La Sublime Porte n'a pas manqué de transmettre au Gouverneur-Général de l'Hedjaz de nouvelles instructions tendant à assurer d'une manière sage et efficace l'extinction de cet odieux Trafic.

Agréez, &c.

(Signé) AALI.

No. 218.

Sir H. Bulwer to Earl Russell.—(Received March 26.)

(Extract.) *Alexandria, March 15*, 1865.

IN reference to your Lordship's despatch of the 22nd ultimo, I have put the questions which your Lordship specially suggests to Cherif Pasha, who has already shown me the copy of the application he intends to make in the Viceroy's name to Her Majesty's Government.

I think your Lordship will find in that application nothing to refuse, and it is only surprising that the abuses practised by foreign Consulates should ever have rendered such requests as His Highness makes necessary. I do not mean by this sentence to convey an impression that the Consuls-General at Cairo and Alexandria give any countenance to the abominable traffic and cruel practices that have been going on in the Soudan. On the contrary, I am convinced there is not one of these gentlemen who is not of my own opinion concerning them, but by the extensive privileges many of this body have assumed (in some instances unsupported by the Capitulations), and by the facility with which they delegate such privileges (sometimes as it would appear) to unworthy subordinates, and by the spirit with which they usually sustain their own agents, whether right or wrong, against the native authorities, those authorities become powerless.

No. 219.

Mr. Stuart to Earl Russell.—(Received March 28.)

(Extract.) *Constantinople, March 16*, 1865.

I HAVE not failed to speak to Aali Pasha in the sense of your Lordship's despatch of the 22nd ultimo, and to read to him portions of the despatches from Sir Henry Bulwer which were therewith inclosed, relative to the conversations which his Excellency and Mr. Stevens had held with the Viceroy of Egypt upon the subject of the trade in African slaves carried on between the Turkish ports in the Red Sea and Egypt.

No. 220.

Earl Russell to Mr. Stuart.

Sir, *Foreign Office, March* 30, 1865.

WITH reference to my despatch of the 22nd of February last, I transmit for your information copy of a despatch from Sir Henry Bulwer,* on the subject of the trade in African slaves carried on in the Soudan and between the Turkish ports in the Red Sea and Egypt.

I am, &c.
(Signed) RUSSELL.

No. 221.

Sir H. Bulwer to Earl Russell.—(Received April 3.)

My Lord, *Alexandria, March* 23, 1865.

IN my despatch of the 15th instant, I mentioned to your Lordship that Cherif Pasha had shown me the draft of a note which he intended to address to me relative to the measures he deemed necessary for the suppression of the Traffic in Slaves from the Soudan.

I have now the honour to transmit to your Lordship copy of the note in question which I have since received from his Excellency.

I have, &c.
(Signed) HENRY L. BULWER.

Inclosure in No. 221.

Cherif Pasha to Sir H. Bulwer.

Excellence, *Caire, le* 19 *Mars,* 1865.

VOUS m'avez demandé de vous exposer les mesures dont l'adoption nous paraît nécessaire pour arriver à la destruction de la Traite des Esclaves dans sa source au Soudan. Voici, pour répondre au désir de votre Excellence, en quoi consistent principalement ces moyens.

Le vente des esclaves étant interdite par les Conventions et Traités intervenus entre les Puissances amies, il faudrait décréter que toutes les barques venant du Fleuve Blanc et portant à leur bord des esclaves, soit pour le commerce, soit pour l'usage de l'équipage, ou à destination des propriétaires de ces mêmes barques, seront arrêtées dès leur arrivée dans le premier port Egyptien du fleuve par l'Agent du Gouvernement commis spécialement à cette surveillance.

En mettant le main sur les esclaves qu'il y trouverait cette Agent dresserait immédiatement un procès-verbal de saisie devant les personnes présentes à l'arrestation. Il constaterait en même temps, devant l'équipage, le nombre des esclaves, leur sexe, l'usage auquel on les destine, ainsi que les noms des propriétaires, consignataires, ou destinataires.

Ce procès-verbal serait signé ou cacheté par les assistants, et une copie certifiée conforme par le Divan du Gouverneur en serait envoyée à l'Agent Consulaire duquel relève les propriétaires de la barque. Une autre copie en serait envoyée au Ministère des Affaires Etrangères à telles fins que de droit. Quant à la barque, aux marchandises, et aux esclaves s'y trouvant, le tout serait saisi par les Agents du Gouverneur sans autre intervention. Les esclaves seraient rendus à la liberté en vertu des ordres supérieurs ; la barque et les marchandises demeureraient sequestrées jusqu'à ce que le Gouverneur-Général eût reçu à leur égard les instructions nécessaires, soit du Divan Mohafiza de Son Altesse, soit du Ministère des Affaires Etrangères.

Il y aurait aussi bien de définir et de préciser une fois pour toutes nos droits dans les difficultés qui proviennent tantôt des aventuriers parcourant ces contrées avec des troupes armées, et tantôt des prétentions émises par les Agents Consulaires, et d'où résultent des conflits de juridiction.

Ainsi, nous croyons, par exemple, qu'un étranger qui n'est pas sous la protection d'un Agent de sa propre nationalité ne saurait être protégé arbitrairement et par ce seul fait qu'il est étranger, par l'Agent d'une Puissance quelconque.

Du moment où il ne jouit pas d'une protection reconnue, il doit tomber nécessairement sous la juridiction locale.

* No. 218.

Nous ne pensons pas davantage qu'un Agent étranger puisse s'arroger le droit de prendre un sujet Egyptien sous sa protection, sous le prétexte qu'il est à son service, si ce n'est à titre de drogman ou cawass.

Nous croyons encore que l'intérêt de la sûreté générale nous confère le droit de restreindre et de limiter la quantité d'armes que les bateaux remontant le fleuve ont coutume d'emporter avec eux, ainsi que celui d'empêcher, aux termes des Traités, le commerce de ces armes dans l'intérieur.

Nous prétendons également que si des Européens résidant au Soudan, ou s'y trouvant en voyage, se portent à des actes de violence des sujets locaux, ou s'ils viennent à commettre un fait quelconque portant atteinte à la tranquillité publique, il est du devoir des autorités locales de prendre immédiatement les mesures nécessaires pour maintenir l'ordre et s'opposer au crime, ou tout au moins, s'il est accompli déjà, pour en circonscrire les effets en arrêtant les individus qui s'en sont rendus coupables. Si de tels faits se sont accomplis dans le voisinage du siège du Gouvernement de la Province, c'est au Gouverneur qu'il appartiendra d'en dresser le procès-verbal, dont la copie sera envoyée au Représentant le plus voisin du lieu où le méfait s'est accompli; une autre copie en sera mandée au Gouvernement Central. Si, au contraire, ces désordres s'étaient accomplis sur un point éloigné de la résidence du Gouverneur, le procès-verbal ainsi que l'inculpé seront expédiés immédiatement au Gouverneur, qui prendrait alors les mesures nécessaires pour en aviser l'Agent ou le Consul représentant la nationalité du coupable.

Telles sont, M. l'Ambassadeur, les mesures essentielles dont nous croyons devoir soumettre l'adoption à votre haute appréciation, parceque nous les croyons les seules efficaces pour rétablir le bon ordre dans ces pays lointains, et pour mettre un terme aux abus et aux déprédations auxquels donne lieu le commerce des esclaves.

L'appui moral que nous semblons demander pour la mise à exécution de mesures aussi simples, et qui seraient élémentaires partout ailleurs, surprendra peut-être votre Excellence, mais je la prie de ne pas perdre de vue les entraves contre lesquelles l'autorité locale doit souvent se débattre en Egypte, où, quoi qu'elle fasse, elle est généralement exposée à voir ses droits les plus légitimes méconnus, bien que nos efforts aient toujours pour but de protéger les intérêts du commerce en général, et d'aider au développement de la prospérité publique.

Le Gouvernement de Sa Majesté la Reine, éclairé par les soins de votre Excellence sur l'état réel de la situation, pourrait donc rendre un double service et à l'humanité et à l'Egypte en prêtant à ce pays le concours moral dont il a besoin. Nous serions très reconnaissants au Gouvernement de Sa Majesté la Reine de cette preuve de sa bienveillance, et nos efforts tendront toujours à nous en rendre dignes.

Je prie, &c.
(Signé) CHERIF.

No. 222.

Sir H. Bulwer to Earl Russell.—(*Received April* 5.)

My Lord, *Alexandria, March* 23, 1865.

THERE having arisen some difficulties as to the liberation of slaves who presented themselves requesting freedom at the Consulate here, I made the following agreement with the authorities :—

That when a slave comes to the Consul, the latter is to send a letter with the slave to the Chief of Police requesting a letter of freedom, and that the slave should be accompanied not only by an ordinary kavass, but by some one in a superior grade who understands Arabic. The Chief of Police will answer the Consul's letter, saying he has complied with his request, and the letter of freedom will be given to the slave in the presence of the person from the Consulate, and the man or woman will be allowed to go free.

I have, &c.
(Signed) HENRY L. BULWER.

P.S.—I have told Mr. Stanley to keep a register of the slaves whose freedom he thus obtains.

H. L. B.

No. 223.

Earl Russell to Sir H. Bulwer.

Sir, *Foreign Office, April* 12, 1865.

WITH reference to your Excellency's despatch of the 23rd ultimo, I have to acquaint you that I approve the arrangement made by your Excellency with the Egyptian authorities in regard to the emancipation of slaves who may take refuge at the British Consulate at Alexandria.

I am, &c.
(Signed) RUSSELL.

No. 224.

Sir H. Bulwer to Earl Russell.—(Received April 22.)

(Extract.) *Cairo, April* 10, 1865.

I HAVE received a despatch from Her Majesty's Consul at Jeddah, dated the 29th ultimo, copy of which has been transmitted by Mr. Colquhoun to your Lordship's office, reporting that the Kaimakam of Massowah had recently issued an order authorizing the exportation of slaves from that port. I have felt it my duty to write at once to Mr. Stuart, requesting him to make strong representations to Aali Pasha on the subject, and I have the honour to transmit herewith copy of my despatch to him.

Inclosure in No. 224.

Sir H. Bulwer to Mr. Stuart.

Sir, *Cairo, April* 9, 1865.

FROM the inclosed correspondence you will see that the Kaimakam of Massowah has recently issued an order, as he alleges in obedience to the instructions of the Governor-General of the Hedjaz, authorizing the exportation of slaves from the ports of Massowah and Souakin to all ports of the Red Sea except Suez and Cosseir.

I have, therefore, to request you to call Aali Pasha's most serious attention to the statements contained in the papers I transmit, from which I think it will appear probable that the order to which I am referring was issued under the authority of the Governor-General of the Hedjaz; but you should impress on Aali Pasha that by whomsoever issued such proclamation should be immediately cancelled, as when, in our different communications with the Porte, it was agreed that in deference to the prejudices still existing in Arabia slavery should not be immediately abolished in the Hedjaz, there was a distinct understanding that for the future the importation of slaves should be entirely interdicted.

The Porte has so often and so solemnly assured us that it would do all in its power to suppress the Traffic in question, that I cannot doubt that Aali Pasha will be as much astonished as I am at the receipt of the intelligence I am communicating, and will immediately take the necessary measures to check any new development of this trade, and to redeem the promises which the Porte has so repeatedly made to the Governments of England and of France.

I am, &c.
(Signed) HENRY L. BULWER.

No. 225.

Sir H. Bulwer to Earl Russell.—(Received April 27.)

Sir, *Cairo, April* 15, 1865.

HAVING received the inclosed newspaper with the paragraph marked in it, I called on the Viceroy and put it into his hands. He said he had read it and made inquiries. That it was true that a merchant had landed with three girls; that he was crossing the *place* at Alexandria and people had asked him if he would sell the girls, and he said yes; a crowd then collected, and in order to prevent a tumult the police thought it better not to interfere, but to tell the man to go on to the railway. A person from the police accompanied him,

and on arriving at Cairo he and the girls were laid hold of. The merchant was sent back to Constantinople and the girls freed, and they have been given in marriage to Egyptian officers with a small pension, which was registered; and this register, the Viceroy said, would always serve to prove their freedom and to keep the Government in their track.

His Highness complains that these Circassian slave-merchants came from Turkey with a trading teskereh, which gave them the right to remonstrate when their merchandize was seized. He gave me various instances of women and children brought for sale whom he had had taken from the merchants, put to school, placed in families or married; and he seems desirous, as a means of civilization, to get rid of purchase and sale in human beings. At the same time it would be unjust not to state that slavery in the East is very different from that in America, and is generally a means of fortune and advancement and protection to the poor man or woman which they would not otherwise have. It saves from misery and prostitution females without resource; and these women frequently rise to the highest positions, and as the Sultan's mother and the Viceroy's were slaves the title is no degradation. A slave also has always a ready resource in the Cadi, the ill-treatment of a slave being a great offence in the Mussulman law. Slavery, moreover, is so deeply engrained into the daily household habits that we may sometimes find both master and slave uniting against our efforts. I say this, not to defend slavery, which presents greater evils indirectly and generally than it, at times, offers directly and in individual cases advantages, but to explain how difficult it is to deal with it.

But I think the Viceroy is disposed to try his best. He cannot, however, do everything at once. His liberating a slave the other day belonging to his uncle Halim Pasha was perhaps the most decided act of this kind that ever took place in these countries.

There is, I hear, a curious state of things now going on with the Circassians which shows at least that the ladies are well aware of their rights and not indisposed to speculate on them. A Circassian sells a girl; after a little time the girl complains of being a slave and addresses a complaint to the police; she is released and asked where she would go; she says to such and such a person who is a friend of her father. She is sent there; three weeks afterwards with her own consent this new-found protector sells her again. Again she complains, gets free, and is sent to some other person she designates, who sells her again in the same way; and finally when a good price has been collected from various sales she (sharing with the vendor) bestows her person and her gains on some fortunate individual who has attracted her attention.

I have, &c.
(Signed) HENRY L. BULWER.

Inclosure in No. 225.

Extract from the "Manifesto Giornaliero" of April 12, 1865.

Vente d'Esclaves.—Ce matin, une foule d'Européens et d'indigènes ont été témoins de la mise en vente, au grand jour et publiquement, d'abord sur la grande place des Consuls, et ensuite au marché central, de trois jeunes Circasiennes de 12 à 16 ans. Un marchand Turc en a débattu le prix avec plusieurs Européens qui le lui demandaient dans un but de curiosité, et pour s'assurer d'un fait auquel leurs yeux refusaient de croire. Aux uns il a demandé cinquante livres sterlines (1,300 francs environ), aux autres trente bourses (2,000 francs environ). Un cavas (agent de police) qui se trouvait présent a servi d'interprète à l'un de ces Européens. On a demandé à ce cavas si ces jeunes filles étaient Chrétiennes, et comment il se fesait que le Gouvernement Local permît cette vente publique de chair humaine. Le cavas a répondu que ces jeunes filles étaient sensées Musulmanes, mais qu'en réalité elles n'étaient d'aucune religion, vivant comme des bêtes, et que cela importait fort peu au Gouvernement.

Nous nous demandons encore comment il est possible qu'un fait aussi révoltant se produise au grand jour, dans un pays qui se prétend civilisé, et où la vente des esclaves est formellement interdite par les Traités, sur la porte même des Consuls de deux Puissances comme la France et l'Angleterre, qui se sont donné la mission spéciale de détruire ce détestable Trafic de chair humain.

Nous sommes certains que le récit de ce qui précède soulèvera l'indignation de nos concitoyens, comme il a soulevé la nôtre. Et cependant ce n'est par la première fois que de pareils faits se sont produits.

No. 226.

Earl Russell to Mr. Stuart.

Sir, *Foreign Office, April* 27, 1865.

I TRANSMIT to you for your information, a copy of a letter from Mr. Heatley, inclosing an extract from the "Morning Star" of the 15th ultimo, stating that a number of Circassian children of Christian parents are annually exported from Constantinople and other Turkish ports to Alexandria, and there sold into slavery, and I have to instruct you to make inquiries and to inform me whether you have reason to believe that there is any foundation for this report.

I am, &c.
(Signed) RUSSELL.

Inclosure 1 in No. 226.

Mr. Heatley to Earl Russell.

My Lord, 44, *Sydney Street, Brompton, March* 18, 1865.

I BEG leave respectfully to inclose you an extract taken from the "Morning Star" of Wednesday last (15th March), in which it is stated on the authority of the "Trieste Gazette," that a number of Circassian children of Christian parents, amounting to upwards of 10,000, are annually exported from Constantinople and other Turkish ports to Alexandria, and there sold to Egyptian masters at prices varying from 3,000 to 13,000 piastres each, and that this trade is carried on openly under the eyes of the Turkish Government, who appear to countenance it.

It is possible there may be some suppression of extenuating circumstances in this statement, which, were they known, would give a very different complexion to the affair. I have taken the liberty, however, of drawing your Lordship's attention to it in the hope that, with that interest in all that concerns the welfare of humanity which so peculiarly distinguishes your Lordship's character, you will be pleased to institute inquiries in the proper quarter, and put an end to such inhuman Traffic, and also, if possible, redress the injustice that has been already done by having the poor exported children returned to their parents.

I am, &c.
(Signed) TOWNSEND HEATLEY.

P.S.—I should feel happy in hearing that this letter has reached your Lordship.

Inclosure 2 in No. 226.

Extract from the "Morning Star" of March 15, 1865.

THE "Trieste Gazette" gives some astounding statistics in reference to the white Slave Trade in the Levant. It appears that the number of Circassian children of Christian parents annually exported from Constantinople and other Turkish ports to the Egyptian port of Alexandria amounts to more than 10,000. The boys are sold to their Egyptian masters at from 3,000 to 4,500 piastres each; the girls at from 10,000 to 13,000 piastres a piece. The trade is stated to be carried on openly under the eyes of the Turkish Government, which does not move a finger to suppress it. Kysarli Ali Agha, who resides at No. 4, Passdermage-lane, in Stamboul, is described as being one of the chief merchants engaged in this Slave Traffic.

No. 227.

Earl Russell to Sir H. Bulwer.

Sir, *Foreign Office, May* 4, 1865.

I HAVE received your Excellency's despatch of the 10th ultimo, and I have to acquaint you that I entirely approve the instruction addressed by you to Mr. Stuart, directing him to make strong representations to the Turkish Government against the Order

issued by the Kaimakam of Massowah authorizing the exportation of slaves from that port.

Your Excellency will on your return to Constantinople express to Aali Pasha the extreme surprise and concern with which Her Majesty's Government received the intelligence of the issue of this Order, and your Excellency will also request to be informed of the steps that may be taken by the Porte to vindicate the good faith of the Turkish Government in this matter.

I am, &c.
(Signed) RUSSELL.

No. 228.

Mr. Stuart to Earl Russell.—(*Received May* 5.)

My Lord, *Constantinople, April* 22, 1865.

I RECEIVED a despatch from Sir Henry Bulwer on the 17th instant, containing various inclosures from Her Majesty's Acting Consul at Jeddah, relative to an Order which had been issued by the Kaimakam of Massowah, under instructions, it is alleged, from the Governor-General of the Hedjaz, authorizing the exportation of slaves from the ports of Massowah and Souakin to all the ports of the Red Sea, except Suez and Cosseir.

As requested by Sir Henry Bulwer, I lost no time in calling Aali Pasha's most serious attention to the statements contained in the papers forwarded from Mr. Calvert, and in representing to his Highness that the Order in question, by whomsoever it might have been issued, should be immediately cancelled.

His Highness appeared much surprised and annoyed on learning that such an Order had been issued, and assured me it was in direct opposition to the instructions which had been sent to the Governor-General of the Hedjaz by the Porte, and that he would at once cause an inquiry to be instituted into the matter, and direct that the Order should be cancelled.

I have since furnished Aali Pasha with a copy of Mr. Rassam's report to Mr. Calvert of the 11th March, which I had read to his Highness.

I have, &c.
(Signed) W. STUART

No. 229.

Sir H. Bulwer to Earl Russell.—(*Received May* 7.)

My Lord, *Alexandria, April* 7, 1865.

WITH reference to my despatch of the 23rd ultimo, respecting the arrangements I have made for the liberation of slaves who claim protection at our Consulates, I have now the honour to transmit to your Lordship copy of a despatch which I addressed to Mr. Stanley on that subject, stating in more detail the arrangements I had made with the authorities.

I have, &c.
(Signed) HENRY L. BULWER.

Inclosure in No. 229.

Sir H. Bulwer to Consul Stanley.

Sir, *Alexandria, March* 21, 1865.

I HAVE had your letter under my serious consideration, feeling deep interest in the question you bring to my notice.

Our position is this: you cannot free slaves on your own authority; but you have a right to call on the Agents of the Government to fulfil the promises made to Her Majesty's Government, and where you are able to show that they have not done so, you should inform Her Majesty's Consul-General, in order that he may bring the matter without delay before the Viceroy, who has held to myself personally the strongest language on this subject.

Having spoken to the Governor yesterday, before I received your letter, in reference

to your verbal communications, and having received from him every satisfactory assurance, I sent for the Prefect of Police, with whom you have more directly to do in this matter.

He told me that he only asked it to be shown that he had ever refused to give a deed of freedom to any one sent by you, or that any person he had declared free had been subsequently sold. In this case, he said, if what was done, was done by his connivance, he merited the severest punishment; and if anything was done by others without his knowledge, he would be the first to recommend them to punishment.

If, therefore, you have any case to bring forward, do so; on the other hand, I am sure you must feel that vague charges of so serious a character should be made with caution, or we run the risk of being unjust when we accuse others of injustice.

However, setting the past aside, I have made this arrangement for the future.

When a slave comes to you, send a letter to the Chief of Police, requesting a letter of freedom, and let the slave be accompanied not only by an ordinary cawass, but by some one in a superior grade who understands Arabic. The Chief of Police will answer your letter saying he has complied with your request, and the letter of freedom will then be given to the slave in the presence of the person you send, and the man or woman will be allowed to go free. If the man or woman wants employment, and asks the Chief of Police to get it for them, he is, of course, at liberty to do so, or if you have any employment to offer you will state the fact. I do not see any objection to the slave taking regular service with any one, official or not; but you should keep a register of the persons for whom you obtain freedom, and try to ascertain where they are placed, which you can easily do if you cultivate friendly relations with the Governor and persons in authority.

I forgot to mention that when you write to the Chief of Police, sending the slave to him, you will inform the Governor of the fact.

I may also add that when a female who has been a slave wants to marry, the Chief of the Police, who will have acquitted himself of his own duty on the part of the Government by liberating the woman, will, nevertheless, endeavour to get from her master a certificate of her being free, should such certificate be deemed necessary for her marriage.

I am, &c.
(Signed) HENRY L. BULWER.

No. 230.

Mr. Stuart to Earl Russell.—(*Received May* 12.)

My Lord, *Constantinople, May* 4, 1865.

WITH reference to my despatch of the 16th of March last, I have the honour to inclose herewith a copy of a report which I have received from Mr. E. Pisani, stating that the Porte has lately decided to place the port of Massowah under the administration of the Viceroy of Egypt, instead of under that of the Government of Jeddah.

I have, &c.
(Signed) W. STUART.

Inclosure in No. 230.

Mr. E. Pisani to Mr. Stuart.

Sir, *Pera, May* 3, 1865.

HAVING asked Aali Pasha whether he had written to the Governor of Jeddah respecting the continuation of the Traffic in Slaves, &c., His Highness replied in the affirmative, and desired me to inform you that Massowah is no longer under the jurisdiction of the Government of Jeddah; but has, by a resolution lately taken by the Porte, been placed under the administration of the Viceroy.

I have, &c.
(Signed) E. PISANI.

No. 231.

Sir H. Bulwer to Earl Russell.—(Received May 30.)

My Lord, *Constantinople, May 22, 1865.*

WITH reference to Mr. Stuart's despatch of the 22nd ultimo, I have the honour to forward to your Lordship herewith, a copy of a despatch which I received yesterday from the British Acting Consul at Jeddah, informing me that the Kaïmakam of Massowah had received counter orders from the Governor-General of the Hedjaz directing him, under instructions from the Sublime Porte, to peremptorily interdict the Slave Traffic in those parts, and that the necessary notice had been issued by the Kaïmakam.

I have, &c.

(Signed) HENRY L. BULWER.

Inclosure in No. 231.

Acting Consul Calvert to Sir H. Bulwer.

Sir, *Jeddah, April 25, 1865.*

I HAVE the honour to acquaint your Excellency that I have received a letter from Mr. Rassam, dated Massowah, 1st instant, which states that Abdullah Effendi, the Kaïmakam of that place, had informed him of "his having received counter-orders from the Governor-General of the Hedjaz, directing him (under instructions from the Sublime Porte) to peremptorily interdict the Slave Traffic in these parts."

The Kaïmakam, on the receipt of this order, immediately issued the necessary notice for prohibiting the trade.

I have, &c.

(Signed) HENRY H. CALVERT.

No. 232.

Sir H. Bulwer to Earl Russell.—(Received June 30.)

My Lord, *Constantinople, June 21, 1865.*

WITH reference to your Lordship's despatch of April 27 to Mr. Stuart, I have the honour to state that, in my opinion, there is some truth and some exaggeration in the account given in the "Morning Star," and inclosed by Mr. Heatley to your Lordship, relative to the sale of Circassian slaves sent from Constantinople to Alexandria.

There has, no doubt, been at all times a certain traffic in Circassian children encouraged by all parties concerned. The parents who cannot support their children look upon their sale as we should look upon obtaining an honourable position leading to fortune; the children are delighted at getting from poverty to comfort; and the purchaser by whom such children—half servants, half playmates for his own children—are usually adopted, marries them, if females, to his sons or nephews; and if males, protects and advances them to creditable and influential situations, where they serve him in their turn with any influence they are able to acquire.

Under such circumstances and with such ideas, the traffic in Circassian children has been, as I have said, immemorially carried on, and is not yet abandoned.

Of late, indeed, the expatriation of the Circassians from their native land has thrown masses of this unfortunate population on a country little able to support them. It is no exaggeration, I grieve to say, that hundreds and hundreds of unhappy families in the last stage of misery were cast last year on the streets of Constantinople. The Government did something for them, as also did private charity, but these aids were insufficient: children perished almost of starvation before their fathers' eyes and in their mothers' arms.

Under these circumstances, no doubt the usual trade underwent a prodigious increase. Almost every Circassian who could get his children under a good roof, where food would be put into their mouths, did so. I have little doubt that large numbers went to Egypt; and if 10,000 did so (which I do not believe), 9,000 at least were probably saved thereby from misery and death.

The Turkish Government, which has issued a firman against the sale of negroes, has never issued one against the sale of Circassians. Nevertheless this sale is only conducted clandestinely, and rather winked at than permitted. In such a crisis, however, as that which the sudden inundation of the whole Circassian people created, the Turkish Govern-

ment, I dare say, was not sorry to see immigration to Egypt, and the manner in which children were carried there was such that it could not well interfere. A man, for instance, goes on board a Turkish steamer with five or six children, which are, or which he says are, his: they are not slaves, and probably he says nothing about selling them. When he lands he knows already of some place where he can take them to, and from which he will be able to place them advantageously. If a case is brought before the Egyptian Government, which is very rare, it interferes; takes the children and places them in the public schools, or has them brought up for soldiers, or places them in some family; but this is done for Europeans, and is not in Turkish ideas any bettering of their condition.

It is very difficult to deal with a question so engrafted into Oriental manners; but making allowances for the peculiar circumstances of the past year, which must be considered exceptional, I think, upon the whole, that in some degree owing to the diminution of great fortunes, and in some degree to new habits of expense and luxury, the custom of purchasing slaves, both black and white, is on the decrease; and the dispersion of the Circassians, and their reduced and pitiable condition, which will probably affect the beauty of the race, are also likely to lead to the gradual abandonment of a custom of which the debasing tendency can hardly be appreciated as long as the wives of the Sultan, and of some of the first men in the Empire, have belonged to a class which we should consider stamped with degradation.

I have, &c.
(Signed) HENRY L. BULWER.

No. 233.

Sir H. Bulwer to Earl Russell.—(*Received July* 21.)

My Lord, *Constantinople, July* 10, 1865.

MR. COLQUHOUN having transmitted to me a copy of his despatch* to your Lordship of the 22nd ultimo, I lost no time in communicating it at once to the Viceroy of Egypt, who is still here, and his Highness assures me that he has immediately sent stringent orders to Sheriff Pasha that such atrocious acts should not recur, and that the perpetrators of them should be severely punished.

I have, &c.
(Signed) HENRY L. BULWER.

No. 234.

Earl Russell to Sir H. Bulwer.

Sir, *Foreign Office, July* 13, 1865.

I HAVE received your Excellency's despatch of the 21st ultimo, reporting upon a statement which appeared in the "Morning Star" newspaper relative to the sale at Constantinople of Circassian children as slaves, and their shipment to Alexandria.

With regard to your Excellency's observation, that the Turkish Government, which issued a firman against the sale of negroes, has never issued one against the sale of Circassians, have to refer your Excellency to the firmans prohibiting the traffic in Georgian and Circassian slaves issued by the Sultan in October 1854, and to a further Vizirial letter addressed by the Sultan in March 1855 to the Governor of Trebizond, directing him to enforce the firmans against Circassian Slave Trade.

Your Excellency will inform me whether these firmans have been acted upon, but you need do nothing more in the present state of affairs, Her Majesty's Government being ready to wait for further information.

I am, &c.
(Signed) RUSSELL.

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* No. 243.

No. 235.

Sir H. Bulwer to Earl Russell.—(*Received August* 21.)

My Lord, *Constantinople, August* 10, 1865.

WITH reference to your Lordship's despatch of the 13th ultimo, relative to the sale of Circassian slaves, I have the honour to state that I found that the Porte, when pressed on the subject, not only acknowledged the firmans of 1854, but, contrary to what I had been given to understand, viz., that it only considered these as temporary measures adopted during the war, admitted their general force and validity. It observed, however, that a variety of cases occurred over which the Porte had no control, as the generality of the Circassian parents were accomplices in this unnatural traffic of their offspring.

The Commission lately instituted here for the relief of the Circassian emigration, devised some very wise means for checking the evil by establishing an asylum for orphans or children whose parents were in great destitution. The boys are taught some useful trade, whilst the girls, after a kind of training, are sent as attendants to the harems; if they are pretty, they have a chance of getting well married, and this is very often the case.

I have, &c.

(Signed) HENRY L. BULWER.

No. 236.

Sir H. Bulwer to Earl Russell.—(*Received October* 20.)

My Lord, *Constantinople, October* 9, 1865.

I HAVE great pleasure in finding from the Report addressed to your Lordship by Colonel Stanton that the Viceroy of Egypt has acted up to the promises he made to me last year, and has done his best to put down the traffic in blacks on the White Nile.

I have, &c.

(Signed) HENRY L. BULWER.

TURKEY. (*Consular*)—*Alexandria.*

No. 237.

Mr. Colquhoun to Earl Russell.—(*Received February* 8.)

My Lord, *Cairo, January* 23, 1865.

HER Majesty's Acting Consul at Jeddah, and the French Consul there, have recently reported that the Egyptian steamers plying on the Red Sea, in spite of our remonstrances, continue to convey slaves to Suez.

Having, on reaching Egypt, found a despatch from Mr. Calvert, of which I think it right to send herewith a copy, I have made to the Egyptian Government strong representations on the continuance of the practice; and Sir Henry Bulwer also has made it the object of remark from his Excellency to the Viceroy.

His Highness gives us the most positive assurance that his orders on the subject have been peremptory, and he believes that the transport of slaves has been put a stop to. In order, however, to prove the sincerity of his intentions, an open letter has been sent to Sir Henry Bulwer, which, by his orders, I have conveyed to Mr. West, the Vice-Consul at Suez, addressed to the Governor of that port, wherein his previous instructions are confirmed; and to give a proof to European Governments of his desire to act up to the spirit of his promises, the Viceroy orders that the Governor shall, on the arrival of all steamers from Jeddah, proceed on board, taking with him two of the foreign Consuls, and carefully examine all those on board, and see that every one be furnished with a manumission ticket before his landing, giving each to understand that he is entirely free. Copy of this inclosed.

This is a great step, and we must give the Viceroy credit for it: however stringent these orders are they will still, I doubt not, in many instances be evaded; perhaps by landing the living cargo in part at ports lower down the Red Sea, or other means well known to the proprietors of the slaves.

The complete suppression in a country where the state of society tolerates, nay, perhaps requires, such an institution, must be the work of time.

I shall instruct Mr. West, while keeping his attention on the steamers, not to overlook the arrivals of the native boats or buggalows which may be employed in the traffic, and even render the condition of the poor creatures more wretched than if they were conveyed by the ordinary steamers.

I have, &c.

(Signed) ROBERT G. COLQUHOUN.

Inclosure 1 in No. 237.

Acting Consul Calvert to Consul Reade.

Sir, *Jeddah, November* 30, 1864.

I REGRET to say that the check to slave-dealing at this port (noticed in my despatch of the 14th of November) has been but temporary, for the Egyptian steamer "*Nejd*" conveyed, I am told, 50 or 60 slaves to Suez. There seems a prospect of this inhuman traffic being persevered in; I therefore think it will be needless for me to report to you every instance in which steamers or boats carry slaves, and I shall only notice any striking change occurring to this trade.

All the steamers of the Azizieh Company employ English engineers, and some have Maltese seamen on board: several of these engineers spontaneously expressed to me the repugnance they feel in assisting, even indirectly as they do, the conveyance of slaves; and

they apprehend that they are acting contrary to British law. They added that were they in consequence to resign their situations, the Azizieh Company would mulct them in any balance of wages due to them, and perhaps would keep their effects as security for the continuance of their services. I took upon myself to tell them that were such an injustice done to them, I felt certain that an application to you would insure their receiving every iota due to them, as well as their property.

If I rightly construe the 2nd section of Act 5 Geo. IV, c. 113, for the abolition of the Slave Trade, these British subjects, serving on board of the Egyptian steamers, are liable to prosecution; for it is there enacted (with reference to vessels conveying slaves) that it shall not be lawful for any persons "to take the charge or command, or to navigate, or to enter and embark on board, or to contract for the taking the charge or command, or for the navigating or entering and embarking on board of any ship, vessel, or boat, as captain, master, mate, petty officer, surgeon, supercargo, seaman, marine, or servant, or in any other capacity, knowing that such ship, vessel, or boat, is actually employed, or is in the same voyage or upon the same occasion in respect of which they shall so take the charge or command, or navigate, or enter and embark," &c., "intended to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein before been declared unlawful." And in the 11th section of the same Act, it is enacted that seamen, &c., serving on board of such vessels shall be "declared to be guilty of a misdemeanour only, and shall be punished by imprisonment for a term not exceeding two years."

I have, &c.
(Signed) HENRY H. CALVERT.

Inclosure 2 in No. 237.

Letter addressed to the Governor of Suez by the Maawneh Sanieh, dated 11 *Shaban,* 1281 (*January* 9, 1865).

(Translation.)

RESPECTING the prohibition of Slave Trade by the Government, strict orders were given some time ago to its Representatives to examine the steamers and boats coming from the exterior, and see if slaves, whether free or not free, and possessors or not possessors of certificates of freedom, were to be found on board; and for further assurance, that they should be sent to the police, and there be also verified, and those who are not free should be furnished by the police with a certificate of freedom, and allowed, according to rules and usages, to go where they please; and such orders have been attended to by your Excellency, as well as by all the Representatives of the Government. But in this interval an accusation has been made against the Azizieh Company of having brought on board its steamers some slaves, which accusation being contrary to the proceedings and rules of the Government, an investigation took place, and it was found that the said Company's steamers received only free black servants, possessors of certificates of freedom, and not otherwise. Notwithstanding the minutest examination of the case, nothing was found to justify the accusation intended to disrepute the Company, as well as the proceedings of the Government.

In order to render such proceedings more explicit and well known by all of you, it is requested that henceforward, whenever any Government steamer or boat arrive at Suez, your Excellency will personally, and in your absence your agent, go and take with you two Representatives of foreign Powers whom you find there to serve as witnesses, not in an official but officious way, to that steamer or boat, and examine its cargo well; and if you find on board black slaves, whether free or not free, and possessors or not possessors of regular certificates of freedom, and willing or unwilling to remain with their masters, you are to examine and give them well to understand that they are allowed to go wherever they please, and serve whoever they wish, or undertake business if they choose; and for those whose liberty is not proved, and are unwilling to remain with their masters, the required certificate of freedom is to be given them immediately by the Divan Mohafiza, in virtue of which they can go where they like.

For the object of desiring your Excellency to afford all needful assistance, facility, and pay great attention to this matter, I address the present for your Excellency's knowledge.

No. 238.

Earl Russell to Mr. Colquhoun.

Sir, *Foreign Office, February* 22, 1865.

I HAVE received your despatch of the 23rd ultimo, reporting the measures taken by the Viceroy of Egypt to put a stop to the introduction of slaves into Egypt from the Turkish ports in the Red Sea. His Highness would appear to have taken the measures necessary for preventing, as far as it is in his power to do so, the introduction of slaves into Egypt by the steamers belonging to the Azizieh Company, under the pretence of their being free negroes; and I have to acquaint you that I entirely approve of the British Vice-Consul at Suez being directed to assist the Egyptian authorities by all the means in his power in preventing the introduction of slaves into Egyptian territory, whether by the vessels of the Azizieh Company, or by the native boats or buggalows.

I have instructed Sir Henry Bulwer to keep you informed of the communications which may pass between his Excellency and this Department on this subject.

I am, &c.

(Signed) RUSSELL.

No. 239.

Mr. Colquhoun to Earl Russell.—(Received April 22.)

My Lord, *Cairo, April* 8, 1865.

I HAVE the honour to inclose, for your Lordship's information, copy of a letter and its inclosures received from Mr. Calvert.

I have given to Sir Henry Bulwer a similar despatch addressed to his Excellency, and he, I believe, writes by this mail to Constantinople, calling the serious attention of the Porte to the subject, and requiring that precise and stringent orders be sent to the Governor-General of the Hedjaz.

With reference to paragraph 8 in Mr. Rassam's letter to Mr. Calvert (Inclosure No. 1 in Mr. Calvert's despatch), your Lordship will see that the Governor-General not only denies having issued the notice published by his Kaimakam, but has recalled that functionary. But Mr. Calvert does not attach much credit to the *bonâ fideism* of this assertion.

I have, &c.

(Signed) ROBERT G. COLQUHOUN.

Inclosure 1 in No. 239.

Acting Consul Calvert to Mr. Colquhoun.

(Extract.) *Jeddah, March* 29, 1865.

I HAVE the honour to transmit to you herewith a copy of a letter from Mr. Rassam, with its inclosures, respecting the publication by the Kaimakam of Massowah of a notice issued by the Governor-General of the Hedjaz permitting the exportation of slaves from Massowah to all ports in the Red Sea, except to Suez and Cosseir.

M. Munzinger having officially written on the subject to the French Consul at Jeddah (under whose authority the French Vice-Consulate of Massowah is placed), M. de Sainte-Marie, the Acting Consul, addressed the Governor-General of the Hedjaz a letter to remonstrate against this removal of all restrictions on slave-dealing.

But supposing that the Kaimakam has acted arbitrarily, and that the Governor-General, invested with special instructions from Constantinople, were honestly and vigorously to attempt the extermination of the Slave Trade, his exertions would, I fear, prove only partially successful; the facilities for landing or embarking slaves being so very great in these waters, where the Ottoman Government has no cruizers, and where the whole country favours the Traffic: indeed, a merchant finds less difficulty in clandestinely introducing twenty slaves than in smuggling one bale of merchandize.

Inclosure 2 in No. 239.

Mr. Rassam to Acting Consul Calvert.

Sir, *Massowah, March* 11, 1865.

I HAVE the honour to forward to you copy of correspondence that has passed between the Acting French Vice-Consul of this place and myself, from which you will find out that, in consequence of a recent order received by the Kaimakam of Massowah from the Governor-General of the Hedjaz, free permission has been given to the slave-dealers in this quarter to carry on their heinous traffic between this and the several ports of the Hedjaz.

2. To enable you to judge how much mischief this shameful order above referred to has done towards the revival of this abominable trade (which I had in some measure checked), I must give you a short account of what I had done in the matter since my arrival at this place.

3. I had not been here a week before I discovered that slavery was carried on in these localities to a great extent, though the buying and selling was conducted in a private manner. I knew there was no regular Treaty between England and Turkey about the entire abolition of the Slave Trade in the latter country; and, in the friendly communication between the two Governments treating upon the Slave Traffic in the Ottoman dominions, the land of the Hedjaz and its dependencies were exempted in a measure from the general abolition, on account of some religious prejudices. Nevertheless, I felt quite sure that the Turkish Government had the will to act in harmony with England in the philanthropic enterprize, by putting an end to slavery in all her Empire; wherefore I deemed it advisable to speak privately to the then Kaimakam of Massowah, Purtoo Effendi, upon the subject.

4. On conferring with that official, he acquiesced with me in the necessity of interdicting the inhuman practice, and, accordingly, he issued orders that all slaves brought down to the Massowah district from the interior should be liberated by their owners.

5. When he went away he directed his *locum tenens*, Abdallah Khaleel, to see that his orders were carried out strictly. The latter functionary, during his tenure of office, exerted himself praiseworthily in the dictates of humanity, and liberated a great number of poor captives who were brought down from the Galla country for the purpose of being sold for exportation to Jeddah.

6. On the arrival of the present Kaimakam, Abdallah Effendi, from Jeddah, I went to pay him an official visit, when we had an occasion to speak upon the Slave Trade. I was not a little pleased to find that, not only he intended to adhere to the policy of his predecessors, but he assured me that he was going to frame certain rules and regulations which would prove a death-blow to all slave transactions.

7. Before many days were over, he ordered that no buggalow was to leave Massowah without her nakhodha, or master, obtaining first a correct list of the crew and passengers he wished to carry from the Customs authorities of this port; and, furthermore, that he (the nakhodha) was to produce a personal security that he was not to allow any slave to be embarked on board his vessel between this place and the port of discharge.

8. This wise rule was acted upon faithfully; but, unfortunately, it was not suffered to continue more than a few days, because a peremptory order was received here from the Governor-General of the Hedjaz directing the Kaimakam not to interfere in the Slave Traffic which might be carried on between Massowah and the ports of the Hedjaz, but he was "only to prohibit the exportation of slaves for the ports of Cosseir and Suez." This proviso is neither more nor less than to practise on one's credulity; because who ever heard of native craft sailing hence for the last two mentioned ports?

9. I learn that there are already nearly 200 slaves at Massowah who are ready to be embarked for Jeddah; and I have no doubt that, if the Pasha of the Hedjaz will not cancel his orders immediately, thousands of poor women and children would be doomed to perpetual bondage.

10. I believe that, on the strength of the recent order of the Governor-General of the Hedjaz, a great number of slave-dealers have gone up to the Galla country for the purpose of purchasing, through kidnapping or aggression, some helpless children and women to bring down to Massowah, as it is assumed that the Sublime Porte has definitively re-established the Slave Trade to gratify the wishes of its Mahomedan subjects.

I have, &c.

(Signed) H. RASSAM,

1st Assistant Political Resident of Aden, on Special Mission to Abyssinia.

Inclosure 3 in No. 239.

M. Munzinger to Mr. Rassam.

Monsieur, *Massoua, le 9 Mars*, 1865.

COMME vous m'avez dit, à l'occasion de la succession Hölzner, qu'en Gérant du Vice-Consulat de France j'ai l'autorité de soigner, pendant l'absence d'un autre Consul, les affaires de tous les Européens, telles que successions, &c., à l'exception des affaires politiques, je me prends la liberté de vous consulter, et éventuellement de vous inviter à la co-opération, dans l'affaire que je vais vous soumettre.

Une grande caravane d'esclaves est entrée hier à Mocollou : quelques esclaves ont déjà été portés dans l'île, où le reste sera transporté demain.

Le Vice-Gouverneur d'ici m'a dit qu'il a reçu du Gouvernement de la Mecque l'ordre de déclarer libre le Commerce d'Esclaves ; mais je n'ai pas vu cet ordre, et mon supérieur, le Consul de Djedda, ne m'a rien communiqué à cet égard.

Je veux bien croire que les Ambassadeurs de France et d'Angleterre ont pu permettre la vente des esclaves au Hedjaz ; mais, bien que les îles de Massoua et de Souakin dépendent du Pacha de la Mecque, je pense que cette concession a été faite simplement pour le Hedjaz seul, en raison de la faiblesse du Gouvernement Turc dans l'Arabie, et de la férocité de ses habitants, raison qui n'a pas lieu du tout à Massoua, pays pacifique et complètement subjugué.

Comme l'Angleterre et la France marchent ensemble dans cette question d'esclaves, depuis la guerre de Crimée, je m'adresse à vous, Monsieur, pour vous demander si, d'après les Traités, un Consul Anglais ou Français a le droit de s'opposer à l'importation ou à la vente d'esclaves, ou de protester en cas que la réclamation soit inutile.

En vous demandant cela, je me base sur la supposition que la Sublime Porte a pris des engagements vis-à-vis des Puissances qu'elle est obligée de remplir ;

Que la permission de vente à Massoua détruit, de fait, tout ce qu'on a obtenu depuis dix ans dans la voie de l'abolition de la Traite ;

Que les Consuls, tant que les engagements sont en force, doivent avoir le droit d'y veiller tant qu'ils n'ont pas reçu des ordres de leurs supérieurs qui déclarent la prohibition suspendue.

Si vous êtes d'accord avec moi pour ces prémisses, je vous prie de me le dire, afin que nous puissions nous opposer de concert à la vente de ces esclaves ; car, ce n'est qu'à une opposition réunie que le Gouvernement se décidera de suspendre la permission de vente, au moins jusqu'au jour où les Consuls de Djeddah nous donneront connaissance du nouvel édit, en en expliquant la portée. Si mes suppositions ne sont pas justes, et que vous pouvez m'assurer, avec votre plus parfaite connaissance du droit public, que les Consuls d'Angleterre et de France n'ont pas le droit de se mêler de cette affaire, je ne demande mieux que d'être renseigné.

Veuillez, &c.

(Signé) G. MUNZINGER,

Gérant intérimaire du Vice-Consulat de France.

Inclosure 4 in No. 239.

Mr. Rassam to M. Munzinger.

Sir, *Moncooloo, March* 10, 1865.

WITH reference to your letter of yesterday's date, I have the honour to inform you that, as I said to you on a former occasion, I know of no Treaty existing between the Governments of Great Britain, France, and Turkey, regarding the abolition of the Slave Traffic in the Red Sea ; and on this account I do not feel justified to show any public opposition to acts authorized by the Governor-General of the Hedjaz, in whose Pashalic Great Britain and France have proper Representatives.

2. The present Kaimakam of Massowah was very active, on his arrival here, in putting an end to the nefarious Traffic ; but his exertion was doomed to be of short duration, because he received superior orders from Jeddah that he was on no account to interfere in the exportation of slaves between this port and the Hedjaz.

(Signed) H. RASSAM.

No. 240.

Mr. Colquhoun to Earl Russell.—(*Received May* 27.)

My Lord, *Alexandria, May* 18, 1865.

I BEG to transmit, for your Lordship's information, copy of a letter I received a few days ago from Mr. Vice-Consul West, at Suez, on the subject of the entry into Egypt of a number of slave boys.

Mr. West appears to have acted with a becoming zeal and energy, and I have conveyed to him my approval of his conduct in the letter of which copy is annexed. As therein mentioned, I shall bring the subject before the Viceroy and Secretary of State.

I have, &c.

(Signed) ROBERT G. COLQUHOUN.

Inclosure 1 in No. 240.

Vice-Consul West to Mr. Colquhoun.

(Extract.) *Suez, May* 10, 1865.

I HAVE the honour to report that, on the departure of the local train for Cairo this day, I found that some of the trucks contained slaves of evidently recent arrival from ports in the Red Sea; that I questioned one of the boys, and found that they had only just come to Suez, and were being hurried off to Cairo. I may add that the Zabet was present at the time, and that on my asking the boys whether they had their papers, they answered in the affirmative, and produced the documents, of which the inclosed are samples, which they held secreted about their persons with great care, as though they were of much value to them.

I immediately stopped the departure of the train, caused the boys to be removed under the protest of several of the bystanders, and proceeded to search the other carriages. Immediately I did this all the slaves who were in them were hurriedly removed and taken away in all directions.

From the first truck I removed about nine boys, eight more boys and a little girl were overtaken at different places near the platform, and eleven more had been secreted on board one of the transit steamers which was laying at the wharf.

As the transit-steamer belongs to the local Government, having ascertained that several of the slaves were on board, I immediately called upon the Governor, and returned with his Wakeel to search the vessel, over which, during the interval, I had placed a watch, and we found on board of her, some in the hold under closed hatches, and some locked in the cabins (the keys of which had already been removed with the evident intention of checking further perquisition), 10 more slaves, several of whom were very young; these were also taken to the Governor's divan, 29 in all, 28 boys and 1 little girl; and on my causing them to be examined by the doctor, 20 of them were found to be under the influence of small-pox, some in an advanced, and others in an early stage of the disease: these boys, although all about to be sent to Cairo, were now considered only fit to become inmates of a lazaretto, and they were consequently all removed to the quarantine ground.

I pointed out to his Excellency the Governor of Suez this very irregular and very distressing state of affairs, after the letter which I had had the honour of presenting to him from higher authority. I protested that he ought to be informed of the arrival of these slave-carrying vessels; that they ought to be inspected by us jointly, as it appeared that not one of these boys held certificates of freedom, notwithstanding which they were about to be sent to Cairo in the possession of slave-dealers, and in a sadly diseased and infectious state, under the very eyes of the local authority. His Excellency told me that he had no means of ascertaining the arrival of these slave-boats, nor of checking the secret landing of slaves: to which I replied that, under those circumstances, their departure from Suez by the railway ought to be checked until they held a certificate of freedom; that the Zabet was on the spot when the train was about to start, but that he seemed hardly to think there was anything irregular in the proceeding, although, I must add, that on my informing him that none of these boys must be allowed to escape, but that all of them must be taken before the Governor, he rendered me every assistance in capturing as many of them as he could; nevertheless, I feel convinced that several of them must have escaped into the town.

On the expiration of the term of quarantine to which they are to be subjected, and which has not yet been fixed, I will have all these boys up for inspection before the

Governor, and see that they are all of them duly provided with a certificate of freedom; nevertheless, I consider it my duty to take the very earliest opportunity of reporting the circumstance to you.

Inclosure 2 in No. 240.

Mr. Colquhoun to Vice-Consul West.

Sir, *Alexandria, May* 17, 1865.

I HAVE received with much satisfaction your despatch of the 10th instant, respecting your humane interference on behalf of a number of slaves lately arrived at Suez.

I consider that to your zeal on this occasion may be attributed not only the liberation of twenty-nine human creatures, but perhaps the spreading through the populous city of Cairo of a disease so fatal in this country as small-pox may have been prevented.

In conveying to you this my entire approval of your conduct, I beg to inform you that I shall send copy of your letter of the 10th to Earl Russell. I shall also bring the matter before the Egyptian Secretary of State, and shall make it the subject of my remarks to his Highness on the first interview I may have with him.

It is not to be tolerated that with sentiments so freely expressed as have been those of the Viceroy on the subject of slavery, his good intentions should be frustrated by such culpable lukewarmness and apathy as have been shown by the Suez authority.

I have, &c.

(Signed) ROBERT G. COLQUHOUN.

No. 241.

Earl Russell to Sir R. Colquhoun.

Sir, *Foreign Office, June* 9, 1865.

I HAVE received your despatch of the 18th ultimo, together with its inclosures, relative to the proceedings of Mr. Vice-Consul West in causing the detention of some young slaves who had been surreptitiously introduced into Suez, and I have to instruct you to acquaint Mr. West that Her Majesty's Government approve his conduct in this affair.

I have further to acquaint you that I approve your intention of bringing this matter before the Viceroy, and you will not fail to inform me of the result of your representations to the Egyptian Government in this case.

I am, &c.

(Signed) RUSSELL.

No. 242.

Earl Russell to Sir R. Colquhoun.

(Extract.) *Foreign Office, June* 9, 1865.

IN my despatch of the 22nd of February last I informed you that I had instructed Sir Henry Bulwer to keep you informed of the communications which might pass between his Excellency and this Department, relative to the introduction of slaves into Egypt from the Turkish ports in the Red Sea.

In order, however, that there should be no doubt about your being in possession of the correspondence on this subject, as well as of that which has passed between his Excellency and the Egyptian Government relative to the Slave Trade carried on in the Soudan and on the banks of the White Nile, I now inclose copies as marked in the margin* of this correspondence, together with copies of the communications on the same subject which have passed between Her Majesty's Chargé d'Affaires at Constantinople and this Department.

You will doubtless have heard from Her Majesty's Embassy at Constantinople that the Turkish Government has placed the ports of Massowah and Souakim under the administration of the Viceroy, and I have to desire that when this arrangement shall have been effected, you will state to His Highness that Her Majesty's Government expect

* Nos. 211 to 219, 222, 224, 227, 228, 230 and 231.

that the exportation of slaves from the ports in question will be promptly and effectually suppressed.

As regards the Slave Trade in the Soudan and on the banks of the White Nile, Sir Henry Bulwer in his despatch of the 23rd of March last inclosed a copy of a note from Cherif Pasha, settting forth the measures that the Egyptian Government considered necessary for the suppression of this Traffic; and with regard to the proposals of Cherif Pasha on this subject, I have to observe that the real difficulty of t e case consists in giving the facilities asked for by the Egyptian Government, withou t surrendering any of the privileges which at present protect Europeans from being subject to the administration of Mahomedan criminal law.

To that part of Cherif Pasha's proposal which relates to seizing vessels coming from the White Nile laden with slaves, Her Majesty's Government see no objection in theory, though upon this, as upon the other proposals of his Excellency, it would be expedient that Her Majesty's Government should have an opinion from some Consular officer or person of practical experience, more especially as Sir H. Bulwer expresses no opinion of his own upon the project of Cherif Pasha.

With respect to the jurisdiction over European persons contained in these proposals, it seems reasonable that a foreigner, who is not placed under the jurisdiction of any foreign State, should not be allowed to claim, so far as any question of property which may arise out of the seizure of one of the slaves is concerned, the protection of a European State on thesole ground that he is a foreigner. Her Majesty's Government are of opinion also that no foreign Agent should be allowed to place an Egyptian subject under his protection except in the capacity of dragoman or cavass, and they further think that the demand of the Pasha with respect to the restriction of arms on board of boats ascending the river ought to be conceded.

With respect to Europeans whom the Pasha describes as "résidant au Soudan ou s'y trouvant en voyage," &c., who commit acts of violence against the property or persons of Egyptian subjects in these regions, it also appears to Her Majesty's Government that the demand of the Pasha is reasonable, which in substance Her Majesty's Government understand to be, that they shall be subject, in the first instance, to measures of prevention or arrest by the Egyptian local authorities, provided that these authorities so acting place themselves in immediate communication with the Agent or Consul of the State to which the accused person belongs, and that all measures relating to his trial or punishment be taken in accordance with usage and Treaty capitulations subsisting between the Porte and Christian States.

You are aware of the deep interest felt by Her Majesty's Government in the suppression of the African Slave Trade, and having now stated to you their views upon the proposals of Cherif Pasha for putting a stop to the introduction of slaves into Egypt, I should be glad to be furnished with any observations which you may have to offer upon the general question of the Slave Trade in Egypt before you make any communication to the Egyptian Government in conformity with the tenour of this despatch.

No. 243.

Sir R. Colquhoun to Earl Russell.—(*Received July* 6.)

My Lord, *Alexandria, June* 22, 1865.

YOUR Lordship will learn with feelings of disgust, on perusing the inclosed letter from Mr. Vice-Consul West received by me from Mr. Reade this morning, an atrocious case of slave-dealing, which the activity of Mr. West has discovered.

I have considered it my duty to send a copy in translation to his Excellency Cherif Pasha, with the note here inclosed, requiring his Excellency to send a person to Suez to investigate the matter, and thus exonerate the Local Government from all suspicion of conniving at the Traffic in Slaves.

I have, &c.

(Signed) ROBERT G. COLQUHOUN.

Inclosure 1 in No. 243.

Vice-Consul West to Consul Reade.

Sir, *Suez, June* 16, 1865.

I HAVE the honour to inform you that I have this day caused to be withdrawn from one of the trucks, about to be despatched for Cairo by the mid-day train, two negro children of from eight to ten years of age, who were evidently being taken to Cairo for the purpose of traffic, as they were tied up in ordinary corn sacks to avoid detection and were found with other packages of similar external appearance. The position in which these children had been thus placed was not only in the last degree precarious, but was such as to endanger life, as the texture of the sacks was strong and close, and they were moreover secured at the mouth in such manner as to render it impossible for the children to have liberated themselves by any act of their own ; and death from suffocation appeared to be a very possible, if not a probable event.

I enter thus at length into these details, for if my efforts to impede the Traffic in Slaves continue unsupported by the local authority, they can lead only to acts of cruelty and oppression likely to endanger life ; but I have no doubt that should the local authority really intend to put a stop to the importation of slaves, it would not be a very difficult matter for me, with their assistance, to detect and bring to light such cases as those which I have lately signalized.

My impression is not only that there is a want of desire to put a stop to the practice, but that there is no intention on the part of the Local Government to trace or to punish persons who are thus proved to be acting in direct opposition to the proposed desires and ntentions of his Highness the Viceroy.

I have, &c.
(Signed) GEO. WEST.

Inclosure 2 in No. 243.

Sir R. Colquhoun to Chérif Pasha.

M. le Ministre, *Alexandrie, le* 22 *Juin*, 1865.

JE prie votre Excellence de prendre connaissance de la lettre dont traduction ci-jointe, adressée par le Vice-Consul de Sa Majesté à Suez au Consulat du Caire, relativement à la détention que M. West a effectué de deux enfants nègres, qu'il a découvert enfermés dans deux sacs à blé en toile et déjà chargés sur le convoi du chemin de fer partant de Suez pour le Caire.

Je suis loin, M. le Ministre, de partager l'opinion émise dans le dernier paragraphe de la lettre de M. West. Son Altesse le Viceroi est, je le sais, désireux de coopérer avec la Porte et le monde entier à mettre fin au Trafic des Esclaves, et dans ce pays-ci il ne faut qu'une surveillance réelle et efficace pour arriver au but tant désiré.

Je prie donc votre Excellence de ne pas perdre un jour à envoyer une personne qui jouit de votre confiance à Suez de faire, d'accord avec M. West, une enquête sévère sur cette affaire, de découvrir le monstre en forme humaine qui a mêlé avec son envoi de sacs de blé par le chemin de fer deux jeunes enfants enfermés dans des sacs à blé (cette découverte ne doit pas être difficile par le moyen des employés du transit, car les registres doivent exister), et de punir de la manière la plus sevère le coupable.

J'attends cette mesure de la part de votre Excellence, et en même temps je vous prie d'ordonner une fois pour toutes les autorités de Suez qu'elles aient à veiller strictement que l'humanité ne soit plus outragée par des actes qui certes ne devraient pas ternir l'époque où nous vivons et le régne de Son Altesse Ismail Pacha.

Veuillez, &c.
(Signé) ROBERT G. COLQUHOUN.

No. 244.

Earl Russell to Sir R. Colquhoun.

Sir, *Foreign Office, July* 13, 1865.

WITH reference to your despatch of the 22nd ultimo, I have to acquaint you that I approve of the note which you addressed to Cherif Pasha in the matter of the two

slave children discovered by Mr. Vice-Consul West tied up in sacks at Suez, for transmission by the railway to Cairo.

You will direct Mr. West to use his best endeavours to procure the punishment of the parties engaged in this disgraceful and inhuman proceeding.

I am, &c.
(Signed) RUSSELL.

No. 245.

Sir R. Colquhoun to Earl Russell.—(*Received July* 28.)

(Extract.) *Alexandria, July* 10, 1865.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of 9th June last, with its numerous inclosures on the subject of the introduction of slaves from the Turkish ports in the Red Sea, and on the Trade in Slaves carried on in the Soudan and on the banks of the White Nile.

With reference to the former, the Viceroy had communicated to me, previously to his departure, that the Porte had ceded to him for his life or tenure of the Vice-Royalty (*en viagère*) the jurisdiction over the ports of Souakin and Massowah, and that he intended to have a steamer constantly cruizing between those ports and Suez. I hope this measure may have the effect desired; it ought to do so if loyally carried out, and if his Highness returns to Egypt before my departure, I shall communicate to him the expectation and desire of Her Majesty's Government.

With reference to the traffic on the Nile, it embraces too large a field for me to write on at present, situated as Egypt now is, and myself on the eve of quitting it. If time allows, I will, however, give it my serious attention during the present month; the more so as there is an insinuation of a shameful nature against some late travellers in those countries, which I cannot allow to pass unnoticed.

No. 246.

Sir R. Colquhoun to Earl Russell.—(*Received August* 15.)

My Lord, *Alexandria, August* 7, 1865.

I HAVE the honour to acknowledge the receipt on the 3rd instant of your Lordship's despatch of the 13th ultimo. I, on the same day, called the attention of the Minister Secretary of State to my previous note, to which his Excellency had not replied. This elicited from Chérif Pasha the note, of which the inclosed is a copy, which is good as far as it goes, but I have informed his Excellency that I should not be satisfied till the inhuman dealers who had so disgraced their character were detected and punished; this ought not to be a matter of much difficulty if the transit books or registers are kept in any order.

I have, &c.
(Signed) ROBERT G. COLQUHOUN.

Inclosure in No. 246.

Chérif Pasha to Sir R. Colquhoun.

M. l'Agent et Consul-Général, *Alexandrie, le* 5 *Août*, 1865.

J'AI reçu la dépêche que vous m'avez fait l'honneur de m'écrire le 3 Août courant, pour me rappeler une précédente relative aux deux enfants nègres retrouvés dans des sacs de farine expédiés pour le Caire.

Toute la protection de l'autorité est désormais assurée aux deux enfants susdits, et des recherches sont activement dirigées contre les auteurs des méfaits signalés, lesquels aussitôt découverts auront sans doute à subir une punition exemplaire.

Vous reconnaîtrez, M. l'Agent et Consul-Général, que le moyen auquel on a recouru pour faire passer les deux nègres témoigne jusqu'à l'évidence de la surveillance rigoureuse

que l'autorité ne cesse de déployer pour empêcher la continuation d'un Trafic aussi honteux.

Veuillez, &c.
(Signé) CHERIF PACHA.

P.S.—Le Wekil du Ministre de l'Instruction Publique m'a informé, il y a quelques jours, que ces deux jeunes nègres avaient été envoyés aux Ecoles Primaires.

(Signé) CHERIF PACHA.

No. 247.

Earl Russell to Colonel Stanton.

Sir, *Foreign Office, August* 22, 1865.

I HAVE received Sir R. Colquhoun's despatch of the 7th instant, inclosing a copy of the reply of Chérif Pasha to the note which he addressed to his Excellency on the 22nd of June last, in the matter of the two slave children who were discovered tied up in sacks on the Suez Railway. I have to instruct you to thank Chérif Pasha in the name of Her Majesty's Government for the assurance he has given, that proper means are adopted to prevent the recurrence of so disgraceful an act; but Her Majesty's Government trust that measures will still be taken to discover the authors of it, and to bring them to condign punishment.

I am, &c.
(Signed) RUSSELL.

No. 248.

Colonel Stanton to Earl Russell.—(*Received October* 10.)

My Lord, *Alexandria, September* 26, 1865.

I HAVE taken advantage of the presence of Mr. Baker, the Nile traveller, here, to make inquiries from him on the subject of the Slave Trade on the White Nile, and have ascertained that the energetic measures adopted by the Egyptian Government during the last year have had a most marked effect upon the slave-dealers, so much so that he believes no slaves whatever have been brought down as far as Khartoum during the past twelve months. Mr. Baker is loud in his complaints against all the European traders in that country, and believes that all the ivory traders, without exception, are either openly slave-dealers, or, what is nearly as bad, allow the men employed in their service to collect slaves on their own account. His description of the state to which these traders have reduced the country is most lamentable; ruin and desolation now reign where formerly rich valleys teeming with cattle met the eye, and the European in most parts of this vast country is looked upon as the scourge of the native.

It appears further that the only articles that the native dealers will accept in exchange for their ivory are cattle, and the most revolting cruelty and most open robbery are resorted to to procure these; in fact, it is hardly too much to say that every elephant's tusk that is brought to European markets from this country has been procured by robbery and murder; and I regret much to have to add that there is little doubt that the British subjects engaged in this trade are not one wit less compromised than the others.

It is, however, most satisfactory to hear that the Egyptian Government have so far interfered with this inhuman traffic as to prevent the passage of slaves down the river during the past twelve months, and, doubtless, if the Government is sincere in its intention to put a stop to this traffic, it is in its power in a great measure to do so; but the spirit of slavery is so imbued into the reigning class here, that I fear the present prohibitive measures may be allowed before long to die away, and the traffic again become as general as before. Many slaves are now brought into Egypt by way of Suakin and the Red Sea; the slaves being landed at some distance from Suez, where the active supervision exercised by Mr. Vice-Consul West has disconcerted the dealers. It appears therefore, my Lord, that to stop this trade entirely, it now only requires active cruizers on the Red Sea, and some positive assurances that the Egyptian Government will not allow a single boat with slaves on board to descend the White Nile. It may be urged against this that the latter measure would entirely destroy the European trade in those regions, and give the Government a monopoly, and this objection may for the present be perfectly correct; but as

slave-hunting and cattle stealing have been the chief ingredients of this trade, even amongst the European traders, the ivory procured in the equatorial regions having been obtained only by such means, it is hardly unjust to say that such a trade should not receive the sanction of the European Governments, as its chief effect has been to spread desolation and misery over a wide extent of territory, and, instead of extending civilization, to render the names of Europeans justly odious to the unfortunate natives brought within their range.

I have, &c.
(Signed) EDWD. STANTON.

No. 249.

Earl Russell to Colonel Stanton.

Sir, *Foreign Office, October* 19, 1865.

I HAVE received your despatch of the 26th ultimo, and I have to inform you that Her Majesty's Government learn with much satisfaction that no slaves have been brought down the White Nile to Khartoum during the past twelve months. It is, however, highly desirable that this infamous traffic should, if possible, be entirely suppressed, and I have, therefore, to instruct you to make to the Egyptian Government the proposal suggested in your despatch with the view of preventing the introduction of slaves into Egypt by way of the Red Sea :—namely, that the Egyptian Government should give positive instructions that no boat of any kind having slaves on board shall be allowed to descend the White Nile.

I am, &c.
(Signed) RUSSELL.

TURKEY. (*Consular*)—*Damascus.*

No. 250.

Consul Rogers to the Earl of Clarendon.—(*Received December* 18.)

My Lord, *Damascus, November* 28, 1865.

I HAVE the honour to report to your Lordship, that it recently came to my knowledge that a native of India was in slavery here in Damascus.

I employed all the means at my disposal for obtaining accurate information, and discovered that last year an Indian arrived in Mecca with his son, a lad of about nine years of age; that the father died of cholera, and that the child was seized and sold as a slave; which I fear is not an uncommon practice on the Hajj route.

I found out the name of the person in possession, and sent an Indian lad to try and enter into conversation with the captive; he succeeded, and the report was thereby confirmed.

I then told the Pasha all that I had discovered. His Excellency immediately summoned the man in possession, who at first denied having anybody in his house answering to the description of the Indian child. I then begged the Pasha to have the house searched, or its owner kept under arrest. The Pasha agreed; whereupon the man confessed, and sent for the captive.

The poor little fellow was brought into Court; and when it was found that his only language was Hindustanee, and that he spoke a few words of broken Arabic, such as might have been acquired during eight or ten months, he was, without further testimony, given up to me as claimant and official guardian.

I do not know from what part of India the child came; and although he knows the name of the street or quarter, "Massad," he does not know the name of the town in which he lived. But I have begged some Indians living here to make inquiries; and I do not doubt that through them I shall eventually unravel the history of the child.

But even had I known for certain that he was a native of any part of India not belonging to the British Crown, I should still have felt justified in taking the same steps which I adopted in his behalf whilst in ignorance of his nationality.

I have, &c.

(Signed) E. T. ROGERS.

No. 251.

The Earl of Clarendon to Consul Rogers.

Sir, *Foreign Office, December* 22, 1865.

I HAVE received your despatch of the 28th ultimo, reporting the steps taken by you to procure the release of a young boy, a native of India, who had been detained in slavery at Damascus; and I have to acquaint you that I approve your proceedings in this matter.

I am, &c.

(Signed) CLARENDON.

UNITED STATES.

No. 252.

Earl Russell to Mr. Burnley.

Sir, *Foreign Office, January* 7, 1865.

I TRANSMIT herewith, for your information, a copy of a despatch which I have addressed to Her Majesty's Minister at Madrid,* on the subject of the Cuban Slave Trade.

I am, &c.

(Signed) RUSSELL.

No. 253.

Mr. Burnley to Earl Russell.—(Received February 10.)

My Lord, *Washington, January* 27, 1865.

I HAVE the honour to inclose to your Lordship a copy of a despatch which I have received from the British Commissioners of the Mixed Commission Court established at New York, relative to the suppression of the African Slave Trade, stating that no case has been brought for adjudication before them during 1864.

I have, &c.

(Signed) J. HUME BURNLEY.

Inclosure in No. 253.

Her Majesty's Commissioners to Mr. Burnley.

Sir, *New York, December* 31, 1864.

WE have the honour to report to you that no case has been brought for adjudication before the Mixed Commission Court established at New York under the Treaty between Great Britain and the United States of America for the suppression of the African Slave Trade during the year ending this day.

We have, &c.

(Signed) E. M. ARCHIBALD.
W. D. RYDER.

No. 254.

Mr. Burnley to Earl Russell.—(Received April 2.)

My Lord, *Washington, March* 21, 1865.

ON receipt of your Lordship's despatch of the 7th December last, I placed a copy of it in Mr. Seward's hands, requesting him to take it into consideration, which he said he would do.

I subsequently inclosed in an unofficial letter copies of the correspondence inclosed in your Lordship's despatch of the 7th January, with a view of making more clear the object your Lordship had in view in making a joint invitation to Powers to declare the Slave Trade piracy.

* No. 121.

I am sorry to say that the question escaped my memory until a short time before the adjournment of Congress, when I reminded Mr. Seward about the question, and received from him the inclosed reply, in answer to my notes, copies of which I have the honour to inclose, stating that it had been impossible to submit it to Congress, owing to the pressure of business at the short session, but that it would be taken into consideration at the ensuing one.

I have, &c.
(Signed) J. HUME BURNLEY.

Inclosure 1 in No. 254.

Mr. Burnley to Mr. Seward.

Washington, January 28, 1865.

My dear Sir,

IT may conduce, perhaps, to a better understanding as to the scope and bearing of Earl Russell's despatch of the 7th December, of which I put a copy into your hands at the State Department, if I send you copies of correspondence addressed to Her Majesty's Minister at Madrid on this subject.

You will see that a despatch similar to the above has been addressed to all the European Courts, inviting them to join together in declaring Slave Trade piracy.

I have, &c.
(Signed) J. HUME BURNLEY.

Inclosure 2 in No. 254.

Mr. Burnley to Mr. Seward.

Washington, March 15, 1865.

My dear Sir,

WOULD you permit me to recall your attention to my note of the 28th of January, inclosing copies of despatches elucidatory of Earl Russell's despatch, of which I left you a copy, relative to the joint invitation to Powers declaring Slave Trade piracy?

I have, &c.
(Signed) J. HUME BURNLEY.

Inclosure 3 in No. 254.

Mr. Seward to Mr. Burnley.

Department of State, Washington, March 16, 1865.

My dear Sir,

YOUR communication of the 28th of January last and your letter of yesterday relative to the joint invitation to Powers to declare the Slave Trade piracy, have been received. I regret to inform you that the pressure of business at the short session of Congress rendered it impossible to submit the papers to them. It will be taken into consideration by the President when another Congress is about to assemble. You may assure Her Britannic Majesty's Government that the disposition is good to effect an absolute and universal suppression of the Trade in human beings.

Believe me, &c.
(Signed) WILLIAM H. SEWARD.

No. 255.

Sir F. Bruce to Earl Russell.—(*Received June* 12.)

Washington, May 29, 1865.

My Lord,

I HAVE the honour to transmit to your Lordship copies of a note and its inclosure, which I have received from Mr. Hunter, relative to a suspected slave-trading enterprise, in which a steamer under Mexican colours, named "*Margarita Quintero*" or "*Matanzas*," is suspected of being about to engage.

I have, &c.
(Signed) FREDERICK W. A. BRUCE.

Inclosure 1 in No. 255.

Mr. Hunter to Sir F. Bruce.

Sir, *Department of State, Washington, May* 27, 1865.

I HAVE the honour to invite your attention to the inclosed copy of a despatch of the 9th instant from William J. Miner, Esq., the Consul-General of the United States at Havana, relative to a suspected slave-trading enterprise, in which the "*Margarita Quintero*," E. Morrua, master, is suspected of being about to engage. I have put the United States' Attorney at New York upon his guard, with a view to proper proceedings should the vessel touch at New York, and the Secretary of the Navy has also been placed in possession of the facts given in the despatch.

I have, &c.
(Signed) W. HUNTER.

Inclosure 2 in No. 255.

Mr. Miner to Mr. Hunter.

United States' Consulate-General, Havana,
Sir, *May* 9, 1865.

A STEAMER under Mexican colours and named "*Margarita Quintero*" arrived from Vera Cruz on the 29th ultimo, and sailed again on the 1st instant. I am informed that she is the property of Don Julian Zulueta and Captain Eugenio Viñas, both notorious slave-traders, and was fitted out at Vera Cruz for the African Traffic in Slaves. She came to Matanzas for orders, bringing on board Don Tiburcio Audia, a partner of Zulueta, being cleared for New York, but some doubts are entertained that she has gone to New York; Audia will be the supercargo on the African voyage. It is possible, however, that she has actually visited New York to complete her outfit. Bonds were given at the Custom-house in Vera Cruz.

The above information has been obtained from a source which I consider reliable; unfortunately it was communicated to me only last evening.

I have, &c.
(Signed) WILLIAM F. MINER.

No. 256.

Earl Russell to Sir F. Bruce.

Sir, *Foreign Office, June* 19, 1865.

WITH reference to your despatch of the 29th ultimo, I have to instruct you to convey to Mr. Hunter the thanks of Her Majesty's Government for the information contained in his letter to you of the 27th ultimo, respecting the steamer under Mexican colours called the "*Margarita Quintero*," which is suspected of being about to engage in the Slave Trade.

You will inform the United States' Government that the vessel in question is the notorious Spanish slave-steamer "*Ciceron*," which has changed her name and flag in order, there is reason to believe, the better to enable her to carry on the Traffic in Slaves in which she has been for the last two years engaged.

I am, &c.
(Signed) RUSSELL.

No. 257.

Sir F. Bruce to Earl Russell.—(Received June 25.)

My Lord, *Washington, June* 13, 1865.

I HAVE the honour to inclose a correspondence with the State Department on the subject of the co-operation by the United States in the measures for the suppression of the Slave Trade on the coast of Africa.

Your Lordship will see that Mr. Seward is still unfortunately unable to deal with these questions himself, and that they are postponed until he is sufficiently recovered to attend to them.

I have, &c.
(Signed) FREDERICK W. A. BRUCE.

Inclosure 1 in No. 257.

Sir F. Bruce to Mr. Hunter.

Washington, June 10, 1865.

Sir,

IT will be in your recollection that in the year 1864 a correspondence passed between this Legation and the State Department, arising out of an offer on the part of the United States' Government to station a squadron on the African coast for the suppression of the Slave Trade, in fulfilment of the obligations of the Treaty of July 1862.

The plan for a joint co-operation, however, could not then be carried into effect, owing to difficulties arising on the terms of the proposal for admission of the vessels of the United States into British ports on the African coast; but as the Secretary of the Navy of the United States, in declining the proposal, expressed a hope that no long time would elapse before the Naval Department would be able to tender the means of an efficient co-operation on the terms of the Treaty for the Suppression of the Slave Trade, I am now instructed by Her Majesty's Principal Secretary of State for Foreign Affairs to invite the attention of the United States' Government to this matter, and to state that Her Majesty's Government are still most anxious to obtain the assistance of United States' cruizers in putting down the Slave Trade; and I am at the same time to assure the Government of the United States that their cruizers will be received in all British ports on the African coast on the most friendly terms.

I have, &c.

(Signed) FREDERICK W. A. BRUCE.

Inclosure 2 in No. 257.

Mr. Seward to Sir F. Bruce.

Department of State, Washington, June 12, 1865.

Sir,

I HAVE had the honour to receive your note of the 10th instant, on the subject of the obligations of the United States, under the Treaty of July 1862, to keep up a squadron on the African coast for the purpose of aiding in suppressing the Slave Trade.

In reply, I have the honour to inform you that your communication shall receive as prompt attention as circumstances, to you well known, connected with my state of health will allow.

I have, &c.

(Signed) WILLIAM H. SEWARD.

No. 258.

Sir F. Bruce to Earl Russell.—(Received August 28.)

Washington, August 14, 1865.

My Lord,

MR. SEWARD having regained in a great measure his health and strength, I brought again under his notice, the desire of Her Majesty's Government to see the Treaty of 1862 for the suppression of the Slave Trade fully carried out.

The inclosed copy of Mr. Seward's reply will show that the Secretary of the Navy has been requested to decree the necessary measure for carrying out the provisions of the Treaty.

I have, &c.

(Signed) FREDERICK W. A. BRUCE.

Inclosure 1 in No. 258.

Sir F. Bruce to Mr. Seward.

Washington, August 10, 1865.

Sir,

I HAD the honour on June 10th to express the anxiety felt by my Government to obtain the assistance of the cruizers of the United States in putting down the Slave Trade; and their hope that the time had arrived when the Treaty of July, 1862, in this respect, might be carried into effect.

Your reply, while expressing a desire to postpone the consideration of this subject,

for reasons the justice of which was only too evident, encourages me to bring the proposal again to your notice, now that I understand you can entertain it without inconvenience.

I have, &c.
(Signed) FREDERICK W. A. BRUCE.

Inclosure 2 in No. 258.

Mr. Seward to Sir F. Bruce.

Sir, *Washington, August* 12, 1865.

I HAVE the honour to acknowledge the receipt of your note of the 10th instant, renewing a proposal, which you did me the honour to make on the 10th of June last on behalf of Her Britannic Majesty's Government, to obtain the co-operation of the cruizers of the United States in putting down the Slave Trade.

In reply, I have the honour to state that a copy of your note has been submitted to the Secretary of the Navy, and I have recommended to that officer the adoption of the proper measures to carry into effect the Treaty of 1862 in this respect.

The kindly motive which induced you to forbear pressing this proposition at an earlier day is thankfully appreciated.

I have, &c.
(Signed) W. H. SEWARD.

No. 259.

Earl Russell to Sir F. Bruce.

Sir, *Foreign Office, August* 31, 1865.

I HAVE received your despatch of the 14th instant, inclosing a copy of the reply of Mr. Seward to your note of the 10th instant, in which he states that he has recommended to the Secretary of the United States Navy the adoption of proper measures to carry into effect the Treaty of 1862 for the suppression of the Slave Trade; and I have to instruct you to express to Mr. Seward the satisfaction of Her Majesty's Government at this intelligence.

I am, &c.
(Signed) RUSSELL.

No. 260.

Sir F. Bruce to Earl Russell.—(Received October 16.)

My Lord, *Washington, September* 26, 1865

IN compliance with the instructions contained in your Lordship's despatch of the 31st ultimo, I addressed a note to the Secretary of State of the United States, a copy of which I have the honour to transmit to your Lordship herewith.

I have, &c.
(Signed) FREDERICK W. A. BRUCE.

Inclosure in No. 260.

Sir F. Bruce to Mr. Seward.

Sir, *Washington, September* 22, 1865.

I TRANSMITTED to Her Majesty's Government copy of the note you did me the honour to address to me, informing me that you had recommended to the Secretary of the Navy of the United States the adoption of proper measures to carry into effect the Treaty of 1862 for the suppression of the Slave Trade.

I am instructed to express, in reply, the satisfaction felt by Her Majesty's Government on receipt of this intelligence.

I have, &c.
(Signed) FREDERICK W. A. BRUCE.

FURTHER CORRESPONDENCE

RESPECTING THE

BRITISH CAPTIVES IN ABYSSINIA.

Presented to the House of Commons by Command of Her Majesty, in pursuance of their Address dated August 3, 1866.

LONDON:
PRINTED BY HARRISON AND SONS.

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RETURN to an Address of the Honourable the House of Commons, dated August 3, 1866;
for—

"Copies of Despatch from Lord Russell to Colonel Stanton, Consul-General in Egypt, of date of the 5th day of October, 1865, explaining the motive of the Government as to the course taken as to the Abyssinian Captives:

"And, of all the Papers relating to Abyssinia and Consul Cameron, and his Imprisonment, referred to by the late Under-Secretary of State for Foreign Affairs on the 30th day of June, 1865."

No. 1.

Consul Plowden to Earl Granville.—(Received August 6.)

My Lord, *Massowah, June 20, 1852.*

I HAVE the honour to inclose some remarks on a few points of the social system of Abyssinia that bear directly upon the Treaty* we have concluded with his Highness Ras Ali. So peculiar is that system; so difficult to assimilate to European ideas—a difficulty felt by Bruce, and the cause, perhaps, of his ill-reception in England,—that each despatch must swell to a volume should I endeavour to explain it in all points of view; nor will it ever be thoroughly understood until, by proximity, a free and frequent communication take place betwixt the two nations.

I may, by affording such information as I possess, induce each to think more, perhaps more favourably, of the other; but no efforts of mine can annihilate the 3,000 miles that interpose, or the more fatal barrier of the Turkish domination along the line of coast.

I have, &c.
(Signed) WALTER PLOWDEN.

Inclosure in No. 1.

Remarks on the Social System of Abyssinia, in some points bearing upon the Treaty lately concluded.

IN speaking at all of Abyssinian institutions, it must be remembered, as a general key to their peculiarities, that the form of government and its military spirit are feudal; whilst in the laws and customs, the Jewish institutions are everywhere traceable.

The title of Ras signified, in the times of prosperous and hereditary succession, the Prime Minister and Commander-in-chief of the Emperor, and the highest rank in the Empire.

The Ras now claims the right, as then possessed by him, of appointing all other Chiefs of Provinces, and officers of every kind, at his will and pleasure; and having a sufficiently commanding force at his disposal, is, in fact, master and king of the country, the form even of consulting the Emperor having been disregarded for many years.

Amidst the conflicts, however, of great families, whose members claim the hereditary Chieftainship of different provinces, and whose name will at any moment conjure into existence a numerous army for rebellion or rapine, the Ras is obliged to employ a subtle and tortuous policy, rather than violence, in order to retain his control over those fierce warriors—his equals by birth, impatient of a superior, and in some instances sufficiently powerful to be nearly independent. The resemblance is apparent to the times of Louis XI of France and his rebellious vassals.

Each Chief holding the rank of "Dejajmatch," *quasi* Duke, appointed by the Ras, or as often only obtaining his consent after a successful contest with his own immediate rivals, is entire master of all sources of revenue within his territory, with full power really of life and death, theoretically vested in the Ras alone. His feudal

* Treaty, November 2, 1849; British Ratification delivered to the Ras of Abyssinia, March 1, 1852.; laid before Parliament, June 1852.

subjection consists in the obligation to send, from time to time, some presents to his superior, and to bear his shield; that is, to follow him to war with as large a force as he can muster: against private enemies he is generally expected to protect himself. He takes tolls from all merchants passing through his district.

The most powerful of these feudal inferiors of the Ras is the Dejajmatch Oobeay, Chief of Yemen, who, having added by conquest the whole of Teegray and other provinces, has become in point of warlike equipments fully the equal of the Ras, possesses every avenue leading from the interior to the sea, and acts in every respect as an independent Sovereign, though still nominally subject to the Ras, and paying to him a small yearly tribute of 5,000 to 10,000 dollars.

The immediate troops of the Ras consist of a number of petty Chiefs, governing one, two, or more villages, who imitate, as far as they dare, the independence of the greater Barons, and who take the field, when called on, with 5 or 500 men, according to their means.

Besides these, who are numerous, the Ras has his matchlock men, and four or five bands of rude and disorderly soldiery, his guards. From the lax system of government, and the manner of paying these men by quartering them on the country-people with instructions to levy so much grain or other property, it may be supposed that these undisciplined troops, when at a small distance from the camp, are almost equally independent of the Ras, and frequently are simply organized bands of robbers, the rather that after the commission of any profitable crime they have but to reach the camp of some great feudal Chief at a distance from the Ras, and by entering his service obtain perfect immunity, or, would they enjoy in ease their spoil, to take shelter in the nearest well-reputed church, which is inviolable as the "city of refuge" of the Mosaic Law.

Regarding the collection of duties, each Chief claims them as part of his revenues, excepting those levied at Gondar, Adowah, and a few other towns, collected by an officer called the "Negadeh Ras," who pays a fixed sum yearly to the Ras or Oobeay, and extorts as much as he can from the merchants for his own profits.

Custom-houses, or rather passes, have been established in Abyssinia on every spot where Nature in that mountainous country has confined the road to some narrow defile, not to be avoided without an immense détour, if at all, and near some commanding elevation where a good look-out can be stationed, or perhaps at a brook fordable only at one spot; and as the different Chiefs sometimes give orders on the sudden to allow no one to pass, great trouble ensues, not only to merchants, but to all wayfarers. Frequent quarrels, and even deaths, occur at these posts, always kept by armed men, and it requires no little temper and knowledge of the country to avoid these inconveniences, or to send messengers, &c., to any distance in safety.

A merchant starts from Massowah for Basso, the last mercantile station to the southward of Christian Abyssinia; he pays at Massowah the import or export duty to the Turkish Governor: he must then engage a guide from the Shohos, an independent tribe inhabiting the hills near the coast, and in possession of the only passable roads winding through defiles for fifty or sixty miles; according to the agreement made, and his appearance, wealthy or otherwise, he may pay this guid from 10 dollars to ½ dollar. Arriving then in Oobeay's dominions, he will be stopped four or five times before he reaches Adowah, and on each occasion must arrange with those in charge of the tolls as he best can as regards payment, the amount being arbitrary, and the system in fact one of legalized plunder. On arrival at Adowah he pays certain more regulated duties to the Negadeh Ras of that town, a douceur, moreover, being expected as the price of a friendly settlement of dues; after meeting the exactions of several minor posts he will next have to pay at the town of Doobaruk, in the province of Waggera, duties on the same scale with those of Adowah, generally about 1 dollar per mule-load of merchandize, and being then clear of the territories of Dejajmatch Oobeay, enters those of Ras Ali, whose tolls commence at Gondar. Here the duties are nominally somewhat settled, though long disputes almost invariably occur, and after three or four more detentions and payments on a smaller scale in Begemder, he passes the Nile, and arrives in the domains of the Chiefs of Godjam or Dámot. These may be in a state of entire rebellion or of sulky submission to the Ras: as in the latter case they pay him a fixed tribute, he does not interfere with their toll-levying, and the merchant must disburse at some eight or ten more stages of his journey ere he can reach Basso.

It is needless to dwell on the danger to the merchant in the case of revolted Chiefs, who plunder indiscriminately, and from whom, even if captured, the recovery of any property is hopeless. As tolls are taken each way at the places mentioned, all these observations apply equally to exporting as to importing.

A code of laws called the "Feth Negust," said to have been compiled by the Council of Three Hundred, in the earlier ages of the Church, and regarded originally as of almost equal authority with the Sacred Writings, is the guide of the Abyssinian Chiefs in their decision as judges. The twelve "Licks" of Gondar originally formed the Supreme Court of Justice, a Court of Final Appeal; but the office ceased with the power of the Emperors.

The "Feth Negust" is now expounded by some learned priest or scribe, and there are few in the country competent to the task. It is frequently consulted, more after the fashion of the "Sortes Virgilianæ," the book being opened with solemnity, and the first passage found that appears to bear upon the question, being hastily dressed to suit the case in hand, and present an aspect of oracular wisdom; in this light it is at least regarded by the uninformed multitude, that is, the whole nation save the priesthood, and it is invariably set aside when the passions or whims of the presiding Chief seem to require it.

On the accusation of any man in Abyssinia of any crime, he has the right to demand to be heard in the first instance by his own Judge, that is, either the Chief of his village or the master to whom he is attached for the time being, and to be forwarded to his residence, together with his accuser, by any authority to whom he shall appeal in the King's name.

Strangers may be judged by the district Chief or the Chief paramount, as they may choose; in every way the final right of appeal to the Supreme Ruler exists, but the Ras not being strong enough to enforce this right at present in the case of Oobeay, the decisions of that Chief are considered final. The Chiefs of the Agows of Lasta, called the "Wagshoom," and the Chief of Kwora, on the borders of Sennaär, although feudally subject to the Ras, claim also this privilege of final judgment; but with these exceptions the greatest Chief may, on the complaint of a peasant, be summoned from any distance to appear at the Ras's Court, and be obliged personally to answer the charge before the "Af-a-Negoos," or King's mouth, an officer who hears all cases, and reports them concisely to the Ras for his verbal decision.

After an accusation, before the pleadings can commence, both parties must give security approved of by the "Af-a-Negoos." These bails or securities are answerable for the execution of the sentence whatever it may be, or must suffer it themselves should the principals abscond. But at the end of the trial these first securities may declare off in case of doubting their principals, and others must be found; the only alternative to the convicted party being chains.

In all suits, civil or criminal, there is no prosecution by the Crown, and no police of any kind. The party aggrieved must lay the accusation, find out the aggressor, seize him, and convict him as he best may.

The Mosaic law of blood for blood being in full force, when a man is convicted of having killed another, whether purposely or by accident, or in self-defence, he is handed over to the relatives of the deceased to be put to death by them, unless they can be persuaded to accept the blood-money, a similar sum being also paid into the Royal Treasury. It not unfrequently happens that no relation is found sufficiently near of kin to interfere in the matter, and the homicide then escapes scot-free. With the greater Chiefs there is generally a desire to administer justice impartially, when not embarrassed by some political motive.

(Signed) WALTER PLOWDEN.

No. 2.

Consul Plowden to the Earl of Malmesbury.—(Received July 2.)

My Lord, *Massowah, March 23, 1853.*

I HAVE the honour to inclose a short statement of our present relations with Northern Abyssinia.

I have much difficulty in presenting the information I would give, in a concise form, as I know of nothing that I can refer to analogous with the singular institutions of this country.

I have received no reply to my despatch of the 20th June, 1852, with an inclosure, upon similar matters as bearing upon our Treaty with the Ras Ali. I trust that your Lordship will now deem it fit to examine both the Reports, and to furnish me with instructions that shall consider the difficulties that I have endeavoured to point out, and inform me, as far as may be deemed expedient, of the views and intentions of Her Majesty's Government here.

I have, &c.

(Signed) WALTER PLOWDEN.

Inclosure in No. 2.

Statement of our present Relations with Northern Abyssinia.

THE power of the Ras of Begemder, Chief of Northern Abyssinia, dates nearly from the overthrow of the Ahtyee or Hatze, or Emperor of Gondar, by Ras Michael.

The present Ras, though no other Chief is powerful enough to encounter him in the field, can only retain his title by the maintenance of a large army, and constant wars against his rebellious vassals. Of all the inferior Chiefs "whose title is Dejajmatch," the greatest is Dejajmatch Oobeay, who, partly by the concurrence of the Ras, and more by subtlety, fortune, and the force of arms, governs with absolute sway the country from near the coast of the Red Sea to Gondar, and from Lasta to Sennaar.

The only conditions that should prevent him from being regarded as an independent Sovereign being, his title of Dejajmateh, held from the Ras, and the payment of a tribute of money to him yearly as his feudal superior; otherwise, the Ras does not interfere with his rule over these vast provinces, by which he commands every avenue to the interior of the country available for trade or policy.

The Ras is engaged in the siege of a hill-fort in Godjam now for four years; and another Chief in rebellion, after gaining two battles, has pillaged Gondar, and rendered all communication with Godjam circuitous or dangerous.

It is now doubtful if the Dejajmatch Oobeay will be faithful to his allegiance, or rebel in the hope of seizing the supreme power. In the latter case, the whole land will bristle with arms, and all communication become impossible.

Such is the present political state of Abyssinia.

The boundaries of Northern Abyssinia, at present defined as the districts inhabited by Christians, do not reach by 90 or 100 miles to the Red Sea at any point. This interval is occupied by various savage tribes: the Adaiel; the Azobo Gallas; the Areya Gallas; the Danakil; the Taltal; the Shiho; the Habab; and the Arab tribes of the Beni Ameer. These have adopted more or less strictly the Mussulman faith, and are all, excepting the Gallas, wandering tribes, living by their flocks or their camels; governed by no master, and occupied with incessant feuds or combats.

Through the district occupied by the Shiho is the nearest route to Abyssinia, and the most practicable. It is, indeed, the only one desirable, seeing that it bears directly on Massowah, the only good harbour, I believe, in the Red Sea from Sowakin to the Straits of Bab-el-Mandeb.

These tribes of Shiho furnish guides to all passers for half-a-dollar each, and even conduct a party for the same sum; rich native caravans pay according to their numbers, but always moderately, and a white man is, of course, considered fair booty, to be fleeced according to the extent of his ignorance or his fears. Though vexatious by their delays, they are never known to rob or ill-treat any voyager; they fulfil strictly their contract of safe-conduct through their territories into Abyssinia, and no reasonable man can find fault with their moderate charge for this. It is true that occasionally the Taltal tribes make an incursion and plunder travellers not well armed, in spite of the Shiho, watching their occasion when the warriors of the latter tribe are engaged elsewhere; but this impugns not their good faith, having never been suspected of collusion.

They acknowledge no superior, save the elders of the tribe in council, now that the Naibs of Akeeko are politically extinct.

The Turkish Government occupying the Island of Massowah, their Pasha here claims also the coast for fifty or sixty miles inland, and forces various feeble tribes in those limits to pay tribute; but, in return, affords them no protection, when

devastated by the Shiho or the ruthless soldiery of Oobeay; these people are therefore sufficiently miserable and poor.

(Signed) WALTER PLOWDEN.

No. 3.

The Earl of Clarendon to Consul Plowden.

Sir, *Foreign Office, October* 3, 1853.

HER Majesty's Government have had under their consideration the observations respecting your position in Abyssinia, and the difficulties in regard to opening a commerce with that country, contained in your despatches of the 20th of June, 1852, and of the 23rd of March, 1853.

Her Majesty's Government were led by the representations formerly made by you to expect that advantage would result to British interests from the conclusion of a Treaty with the rulers of Abyssinia and from the establishment of a British Consulate in that country. It appears, however, from your reports now before me, that there is little reason to expect that such will be the case.

Nevertheless, Her Majesty's Government having concluded the Treaty and established the Consulate, are reluctant to renounce all hope of benefit from those measures: but their means of obtaining in this country information on which to act are necessarily very limited; and I must have recourse to you for a report as to the possibility of your establishing yourself either at Massowah or any other place on the sea-coast where you may retain an influence on the rulers of Abyssinia, and facilitate communication with the provinces under their government.

The measure which you have taken, as reported in your despatch of the 24th of May, for obtaining a public recognition of the Treaty and of the obligations resulting from it, appears to me to be judicious; but it is obvious from your despatches that the difficulty of dealing with Abyssinia results, in a great measure, from the absence of any place on the coast with which a safe communication can be kept up; and it is to the discovery of such a place at which you may fix your residence that I would particularly direct your attention.

I am, &c.

(Signed) CLARENDON.

No. 4.

Consul Plowden to the Earl of Clarendon.—(Received November 2.)

My Lord, *Massowah, July* 9, 1854.

I HAVE the honour to inclose a Report containing some information on Abyssinia, as directed in your Lordship's despatch of October 3, 1853.

I have endeavoured to give your Lordship a sketch of the laws, customs, government, and position of Abyssinia, with a short account of its neighbours.

I trust that this Report may assist your Lordship in deciding clearly the course to be pursued with reference to Abyssinia.

Struggling with the difficulties of the Abyssinian character and institutions; baffled by their ignorance, and more by the want of any supreme authority; obliged by my position to be recognized as a friend to the Abyssinian nation, yet forced by geographical circumstances to reside partly at a Turkish port, where the Governor necessarily regards me with suspicion and hatred, as one seducing from him the allegiance of his slaves; I can scarcely convey to your Lordship an idea of the difficulties I have had to contend with.

I inclose also a map which gives a rough notion of the northern frontier of Abyssinia.

The course of several of the rivers therein laid down will not be found in any other map, and have been hitherto the subject of much discussion amongst geographers. Your Lordship may depend upon the general accuracy of the map, though I do not pretend to astronomical exactness.

Both the map and the report are compiled entirely from my personal observations.

I have, &c.

(Signed) WALTER PLOWDEN.

Inclosure in No. 4.

Report.

NORTHERN ABYSSINIA is a State isolated from the sea and from the civilized world by surrounding tribes of savages, and is fast lapsing from its former condition as a Christian realm, governed by one absolute Sovereign, into subdivisions of small tribes, that will hereafter retain probably little of religion or civilization.

It is separated also from its kindred province of Shoa by strong and fierce races called Galla, who are independent, notwithstanding the boastful title of King of the Gallas assumed by Sahela Selassie and his successor, whose actual dominions do not equal a fifth part of the Galla territory.

The country that I name Northern Abyssinia, and which is inhabited by professing Christians, is about 400 miles in length from north to south, inclining westerly, and 300 in its greatest breadth, which is from north-north-west to south-south-east, that is, from the neighbourhood of Massowah to the town of Ayjubay in Godjam, and from Wayhaynee, the limits of the Egyptian dominion in that quarter, to the borders of Effat, belonging to Shoa.

Its north-western and western boundary is formed by the Pashalic of Sennaar; partly on the west and to the south-west vast forests, frequented by wild beasts, or hot plains inhabited by negro races, exclude Abyssinia from the navigable part of the Blue Nile. To the south, that river, an impetuous torrent, forms its boundary, almost its safety, from the Gallas—excellent horsemen, whose delight is war. To the east and south-east the Gallas of Borona, Wallo, Worahaimano, and Worrakallo, separate it from Shoa. The three last are the stronghold of Islamism; and these are again barred from the sea by the savage Adaiel, by whose hordes, led by Mahommed Grayne, Abyssinia was nearly destroyed, when saved by Portugal and the introduction of fire-arms. To the eastward again, more northerly, other tribes of Gallas called Areya and Azobo still interpose between Abyssinia and the sea-coast: and to the north-east and north various tribes with various tongues, Taltals, Danakil, Shihos, Hababs, &c., everywhere seclude that realm and join the dominions of Abbas Pasha, in the tribes of the Beni-Ameer, ruled by the Pasha of Taka.

A circle is thus completed that must somewhere be broken through, either by the Abyssinians themselves, had they the power, or by that nation desiring a free intercourse with them.

The tribes I have last mentioned, that seclude Abyssinia from the Red Sea, occupy a strip of land along its coast of 70 to 100 miles in breadth; and it is here that the Turkish Government has occupied several points, of which mention shall be made hereafter: and although these tribes were formerly Abyssinians, and still, in many places, as at Massowah, speak the ancient Ethiopic tongue, as they are now completely separated, I shall not include them in an account of Christian Abyssinia in its present limits.

Setting aside, therefore, this border along the sea, Abyssinia is a range of vast table-lands and fantastic mountains, alternating and varying in elevation from 4,000 to 14,000 feet above the sea level. Deep valleys, the beds of the larger rivers, intersect this in various directions; but these streams, however circuitous their course, almost all finally join the Blue Nile, or Abäi, as it is termed by the Abyssinians. These are nowhere navigable; and a few mountain torrents only, and when swollen by the rains, find their way to the Red Sea. The abrupt and high ranges from which these torrents descend are seen from the coast at the distance of 80 miles inland, and mark everywhere, as far north as the 16th degree of latitude, the confines of the Christian country.

The climate, on all the highland, is salubrious; but the valleys, at certain seasons, are rendered dangerous by fevers, particularly the low countries bordering on Sennaar, and these valleys produce the richest crops of grain. The tropical rains fall plentifully at the same season with those of Bengal, from June to September, and the soil, extremely fertile, might, from the variety of temperature at the different elevations, produce almost every article of human consumption. Two large inland lakes exist; the one near Gondar, called Tana, the other, in the province of Tehluderree, called Haik. The former is 60 miles in length, studded with islands, and abounds in excellent fish; singular to say the crocodile, that is found in most of the large rivers of Abyssinia, does not infest this lake, which

swarms however with hippopotami. The Blue Nile takes its rise a short distance from this, and after forcing its way through the waters of the lake at one corner, forms nearly a circle round Godjam, the southern province of this country.

The flat and overflowed lands round the Lake Tana, are kept as pasture for cattle, or partially sown with grain; but they are well adapted for the cultivation of rice, or sugar-canes, which both grow wild; or of indigo, which has thriven in Shoa.

The cold plains of Waggera and Godjam, and the lofty mountains of Semen, where the blackberry, the hawthorn, and the fir, now usurp great part of the soil, are fitted for all the productions of northern latitudes. The more temperate provinces would probably be favourable to the growth of pepper, spices, and coffee, which last has already been planted at Korata; and even the coast, and hottest districts, might give crops of cotton of fine quality. Barley, wheat, peas, grain, beans, maize, Indian corn, millet, linseed, saffron, oats, and some kinds of grain unknown to us, are cultivated with little trouble; a small oblong potatoe, called "dennich," and the root of a very nourishing banana, the "ansett," form a great part of the food of some districts.

In the present confusion and supineness not a fiftieth part of the surface is, I suppose, cultivated; while such is the bounty of Nature that Edjow, and other provinces, produce two crops per annum on the same ground.

Fruit-trees, the plum, the orange, the lemon, and the peach, grow wild in the jungle; the vines are luxuriant, and the quality of the wine excellent; numerous streams everywhere irrigate and adorn this agreeable land, whose rich meadows, lowing herds, sparkling waters, golden harvest, and shady trees, often present a scene of European beauty to the traveller.

Gold and copper exist, and iron is found in great abundance; plains of sulphur and various salts, in the province now occupied by the Taltals, supply all Abyssinia with those commodities; and other wealth may lie hid in that volcanic tract. A search for coal would, elsewhere, be probably successful; but to describe the mineral and natural riches of this country should be the task of one better qualified for the investigation.

It is a country that combines mineral resources, a delightful climate, and tropical luxuriance, with so much general salubrity, that no waste of European life need be apprehended from frequenting it.

The temperature of the moderate elevations is very regular, in some places scarcely varying ten degrees throughout the year. Mineral and hot springs abound. All the colder provinces, particularly the Galla, are favourable to horse-breeding; sheep, goats, and cattle, thrive throughout the country; the mulberry has been grown; the potatoe, lately introduced, flourishes; and food is, in general, found too abundantly, as it is found almost without labour.

But while nature has done so much, human energy, or skill, has done nothing. The utter want of roads and bridges—the stagnant, or lawless, nature of the social system—the obstinate attachment to ancient customs—the multitude of rulers, indifferent to everything but their personal enjoyment—the constant wars, and consequent insecurity of life and property—are fast ruining a country of whose beauty and fertility its inhabitants may, with some reason, boast.

The divisions of language in Christian Abyssinia are two, Teegray and Amharic. The former, a slight corruption from the ancient Geez, itself derived from Hebrew and Arabic, and the latter, in my opinion, a distinct language, into which have crept many words from the former. The Amharic is now the written language of the country, the Geez character being used, with some aditions. The Teegray dialect is spoken in the province of Teegray, bounded by the River Takazzee, flowing from the south-south-east to north-north-west, and with some variations all along the sea-coast from Massowah, inclusive, to the port of Aggeek. The Amharic, by the rest of Abyssinia, from the Takazzee to the Abäi: and also in the province of Shoa. In Teegray I include the tribe called Agow, that inhabit a district at the source of the Takazzee, anciently called the Kingdom of Lasta, whose origine I cannot divine, and whose language is totally different; and in the Amhara, the Agows of Damot, whose language is half Galla.

The manners of the Amhara are pleasing; their features are generally of the European or Asiatic, that is, Arab, cast, and they are remarkably quick and intelligent. Their standard of morality is very low; sensual pleasures, as intoxication, are gratified without scruple and without shame, in general, the interests or convenience of the moment are the only rule of conduct; want of tact and ill-temper the

only crimes in his code. Two phrases in the Christian doctrine that suit his careless temper are much insisted on: "that this world is fleeting and valueless," and "that the indulgence of the Creator is infinite," the one to justify his insouciance, the other as removing all check to his follies and enjoyments. Crimes are seldom committed wantonly, but all considerations yield generally to those of interest, in prince or people. They have a great contempt for other nations, and scarcely know, or do not care, if any exist or not; the tribes on their borders they regard as created for the breathing fields of Abyssinian valour; hardly believing that the rain falls, or the sun shines, on other lands, they are persuaded that the world beyond the sea is a succession of barren deserts. The most common question to a European is whether corn grows in his country, and sometimes whether there are women; yet are they manly, generous, usually humane and indulgent, always polite, and seldom coarse. I attribute their faults to ignorance, their virtues to a kindly nature. Except tillage of the ground their pride renders them adverse to labour; but the women are exceedingly industrious.

The people of Teegray are somewhat different in character; with more of the obstinacy of their Jewish blood they are ruder and vainer than the Amhara, noisy, talkative, and quarrelsome. Though nearer the sea they are even more ignorant of other nations; they despise all the human race but themselves, and generally each man, all existing but himself. On the whole, I think them inferior to the Amhara, but they are more laborious, and more trustworthy individually, though politically treacherous.

The Agows have a peculiar character as well as language, they are sterner, harsher, and more resolute than the other Abyssinians, and are proverbial for dissimulation and hardness of heart, as well as extreme selfishness. They permit no interference of the other races in their government or internal policy and laws. They all speak the Teegray and Amharic as well as their own language. They are always governed by a chief of their own race, whose laws, though severe on themselves, are just and even encouraging towards strangers. They acknowledge, as feudal superior, the Ras of Begemder, since the fall of the Empress of Gondar.

The inhabitants of each province in Abyssinia have some peculiar traits; as Godjam and Kalagoozia are famous for union, Teegray Central for the contrary; some are warlike, some cowardly, some faithful, and some treacherous, and so on.

In some respects they are a happy people. They possess in their own land all the necessaries and many of the luxuries of life in profusion; they have great freedom of speech and action, and are always gay, systematically, as by constitution. Their conversation, often sensible, is always witty. A practical philosophy leads them to prefer laughter to tears; the tragedy and the comedy of life are received alike with indifference or a joke. Misfortunes and death are generally met with fortitude. It is hard to convince them that they will benefit either by our science or our wealth.

The most curious point in their character is this, that no one is expected to feel ashamed of any crime or vice; and whereas in other countries men in committing serious crimes are morbidly excited, in Abyssinia they are perpetrated with indifference, and generally recounted, sometimes by the individual himself, certainly by others, with gaiety and laughter. In the same way, females are rarely gross or immodest outwardly, seeing that they need in no way be ashamed of the freest intercourse with the other sex. I have never yet been able to discover what an Abyssinian could be ashamed of, except a solecism in what he considers good manners, or the neglect of some superstitious form of social observance. They are peculiarly sensitive, however, to ridicule and abuse, whether true or untrue, and half the time of an Abyssinian master is passed in deciding disputes on such subjects. Some traits, though apparently of slight consequence, are often very irksome to a stranger; for instance, every man above the lowest rank has a door-keeper, whose duty it is to examine who should be admitted, and when. The insolence of this officer rises in proportion to the rank of his master. The primitive ante-chamber is a court in the open air, without seats, often muddy, always filthy; and as the porter will contrive to keep you waiting, even against his master's orders, this system is most disagreeable to an European. Further, you wait amongst a crowd, and it is pointed out to you that the brothers or sons of the King are there in the same position.

Sometimes the order comes to clear the court, when sticks are used without distinction of persons. The Chiefs affect a trifling and childish manner, to the great annoyance of a white man, who has, perhaps, some important affairs to speak on, and who, from his more energetic feelings, thinks them of greater importance

than they are. I will not dwell on these matters, but the difficulties they raise are not trifling, nor easy to vanquish.

The Abyssinians are superstitious; they believe in the efficacy of amulets; of writings in jargon mixed with Scripture; in the charms of Mussulmans to control the hail and the rain; in spirits of the forest and the river; in omens; in fortune-tellers; and in devils that may be cast out by spells from their human victim, quoting the authority of the New Testament for their belief: to these they attribute epilepsy and other incurable diseases.

One absurdity has, however, led to the death of many innocent individuals; all workers in iron, and some others, are supposed to convert themselves into hyænas, and to prey invisibly on their enemies, and many have been slaughtered in this belief. It is not worth while to enter upon a full account of this singular idea, which is universal and tenacious, and has its parallel in the "loup-garou" of France, and the "wehr-wolf" of Germany.

Gambling appears to be unknown, but they are constantly betting, not, however, to gain money, as the judge of the forfeit receives it from the loser, the winner having thus punished his adversary. This is a fruitful source of revenue to the Chiefs.

In their houses they are dirty, and generally in their domestic habits, though cleanly in person when their means will permit.

Save the door-keeping I have mentioned, much freedom exists in their society: in one room a beggar jostles a Chief and a dirty rag presses against the white turban of a priest, or a thief, perhaps in chains, is seated next to an honest man; nay, the latter will make way for the former with much politeness if an older man than himself. So indulgent are they, that even a madman is never put under restraint and rarely excluded, though perhaps dangerous. Visiting is unceasing amongst the middle classes and hospitality is offered with indiscriminate profusion according to the means of the proprietor.

In Abyssinian society no repugnance is even shown to those afflicted with apparent and loathsome disease, and no man forfeits his position by any crime. Theft is in many provinces regarded as an honourable employment; highway robbery as quite excusable, even if accompanied by homicide; rape is venial; and adultery regards only the husband. This has probably been the national character for many ages, and now that misrule and anarchy are superadded, the Abyssinians are unconsciously retrograding to a savage state, and losing all the advantages they may have acquired from the adoption of Christianity. Yet they still nourish the delusion that they are a nation, as when their kings marched armies into the Holy Land and governed Arabia, while their fleets traded to India, and their African dominions were bounded by the White Nile, the Red Sea, and the Indian Ocean.

They have in general an aversion to change in their religious observances, laws, and customs; their laws are, however, nearly forgotten, and their manners are changing yearly. This, which is characteristic of the race, is a great obstacle to improvement. Neither the idea of progress nor the word exists; for all absurdities and abuses, even for injustice, the reason "it has always been so" is held sufficient even when the error is admitted. In consequence, as nothing can be stationary, their whole institutions are degenerating.

They are very quick of apprehension and subtle of speech, and as from childhood they are accustomed to select phrases that may be agreeable to the person they are addressing or useful to themselves, are always specious and sometimes eloquent. It is very difficult for a stranger to arrive at the truth by questions.

They are fond of litigation, and most of them skilled in the quibbles and proverbs that are essential to success in any dispute. It is the favourite sport of boys and children, and the smallest difference of opinion furnishes matter for a long and sometimes expensive lawsuit. The obstinacy in trifles is a mark perhaps of their Jewish blood. Notwithstanding the abundance of food in Abyssinia, nothing is more difficult or occupies more time than to provide for the daily wants of an establishment. A chief can obtain anything at once, and often without payment, where a stranger infinitely richer would, without his friendship and assistance, run the risk of starving. Nothing can be obtained by money except at a market, and often at a very great distance. Shops are unknown, and almost all trades must be practised in each household. Water must be carried for household purposes from a distant brook, corn must be converted into flour, cookery must be prepared, bread baked, and beer brewed, in every establishment according to its

numbers, and to no office of domestic utility will a man put his hand for any amount of hire. On a journey where no markets can be found all necessaries must be carried at least to the next large town, involving a very inconvenient amount of baggage.

The Abyssinians, indeed, demand hospitality at each village, and take up their quarters without ceremony, often having to fight for the accommodation.

The personal baggage of a merchant is equal in bulk to his goods. In more dangerous times, when baggage is a serious impediment, this billeting system becomes an imperative necessity for all travellers. On a campaign, the country people having fled from their homes on the approach of an army, money is entirely useless, and the King must either supply the stranger in his camp, which he cannot always do, or the latter has the alternatives of starvation and foraging. Grass is abundant in the country; but some local potentate or band of villagers must in general be propitiated before beasts are allowed to feed, and this cannot always be done by money: nor is the European character usually disposed to the other resource of flattery. An irritable man should not visit Abyssinia.

The greater part of the time of all classes is occupied in eating and drinking. The instant any guest is received, no matter at what hour, he must be fed, and is not allowed to refuse; mead is always produced, or beer, for they love not dry talking, be it at daylight or at midnight. The profusion at their meals, and the large number of retainers and daily guests that are fed by men of rank and wealth, bear a resemblance to the customs of our Saxon ancestors. The parallel may perhaps hold good in other points. The gates are open in the evening to all who demand food and shelter in the name of friendship or religion; rich and poor are seated at one table; in the house of a great chief public singers chant the legends of their heroes, or receive guerdon for reciting impromptu stanzas in praise of their host and his guests; nor does the frequent intoxication weaken the likeness. Feasts are instituted a certain number of days after death, being a point of honour with the relatives of the deceased, and encouraged by the priests, who are guests by privilege, and who live principally by these general banquets; numerous oxen are slaughtered, and for two or three days the streets reel with drunkenness, the white turbans of the pastors being conspicuous. The rejoicings at each wedding furnish equally good cheer; and as it is not difficult to obtain admission, these festivities are a great resource to the scribes and all the poorer classes. I believe the truth of the remark made to me by an Abyssinian who had visited Rome, "that while the rich in Europe could live more luxuriously, there was no country like Abyssinia for the poor;" but he did not perceive that this arose from the scantiness of population, the richness of the soil, and the smallness of their towns.

From constant exercise the Abyssinians have great powers of memory; though a written language exists, they seldom hold correspondence, and when a letter is written it is never signed, sealed, or dated; easy as a forgery would be, I have never heard of an instance. All affairs are conducted verbally; and at a distance by messengers. These messages are usually delivered with fidelity, and the character of the herald is considered sacred.

In the relations of parent and child the Abyssinians are kind and indulgent. The children are obliged by law to share their means with their aged parents, and generally do so voluntarily. No distinction is made between legitimate and illegitimate children, and all share alike on the decease of their father. Marriage is a civil contract between the parties, dissolved at pleasure, and it is usual in old age only to take the sacrament together in the church, thereby pledging themselves to fidelity and monogamy. The people of Teegray are less lax than the Amharas, amongst whom women are regarded as toys, without the trouble of secluding them in a harem.

Friendship is measured by gifts. Each chief begs from his compeer: nay, from his own dependant. Nothing will so much strike a stranger in Abyssinia as their custom of asking without reserve, without shame, for anything they may fancy. They are, however, ready to make compensation; they may be offended at a refusal of their request; equally so, if the return be not accepted. They cannot imagine that this is not the custom all over the world. If an Abyssinian returns a gift and says, "I require nothing but your friendship," the phrase is studiously polite, and means your gift is not of sufficient value. They treat all strangers in the same way. The chiefs beg without ceremony, but in return bestow their friendship, which is necessary, and sometimes more than the value of the gift in their country produce. To specify the minutiæ of this custom, practised by high and

low, rich and poor, would be fatiguing. An embassy to or from a foreign prince, is a mere calculation of value exchanged. The poor make presents to the rich and powerful, and receive ten times their cost in return, protesting, however, that nothing is further from their desire; nay, so organized is this custom, that if a person bestows a gift on one of equal rank, and does not receive an adequate compensation, he can bring an action against him as though for debt, and will receive damages by law; this is the favourite manner in which they attack the purse of an European, and is a pretty and ingenious way to avoid direct begging. An European envoy to this country must, in the present state of society, exchange presents with the great chiefs, or be regarded as an object of charity, and it must be done with tact to avoid the imputation of timidity or folly.

The ties of relationship are strong, from mutual interest, as a barrier to the exactions of rapacious governors and the violence of the soldiery. They count kin to the fiftieth cousinship, and a man with many relatives has much influence. The military governor is constantly changed, but such a man retains a kind of hereditary power. They do not carry their union to the point of sharing their purse; on the contrary, incessant lawsuits are carried on between the nearest relations for land and property; but in moments of danger they stand by each other like a Highland clan. They muster in thousands to bewail one to whom they refused a loaf while living, and they all unite to avenge his death by violence.

They retain two institutions of Judaism, and cling to them with obstinacy. The Saturday in Godjam is held of equal sanctity with the Sunday, so that water cannot be drawn, nor wood hewn, from Friday evening to Monday morning. Moreover, many animals are considered unclean, as the hare, the goose, in some districts the wild boar, and some other animals.

There are numberless Saints' days in the year, on which no work is done; and in the towns they will not even suffer others to work, which is most irksome to the traveller.

As a nation they have never had any element of progress within themselves, nor do they appear ever to have wished for it. Coinage, and architecture in solid masonry, have never been attempted, though the Ptolemies set them the example of both, as shown by the remains of Axûm, and the gold and copper coins found in those ruins to this day. The Portugese introduced the art of brick-burning, and built towers and bridges of excellent workmanship; no person in Abyssinia can now make mortar. No purely national antiquities of any kind exist. Their kings and their people two thousand years ago, must have passed their lives as now; seeking only for daily splendour or enjoyment, and indifferent to the perpetuation of their memory by any monument.

Though difficult to persuade, no people would be more docile under slight coercion. As soon as a Chief of firmness governs in any district, quiet and order prevail to a surprising extent without any police. The word of the Chief suffices to produce this tranquillity; but it cannot last long, as on his death or removal, the means of disorder are unfortunately in every hand. To a foreign conquest little resistance would be offered; they are too imaginative to dream of patriotism; yet had they any national spirit, the rugged nature of their mountain passes would offer many difficulties to an invading army. This spirit, which is entirely wanting, was supplied in their contests with the Mahomedans by fanatical excitement, and in warring with neighbouring barbarians, by the hopes of plunder.

Individually they are brave, but in masses, being without discipline, are hesitating, and little to be feared. Having no coinage of their own, the only money that passes current in Abyssinia is the German crown of Maria Theresa. This is changed, in Teegray, into pieces of cloth of various lengths, fabricated from cotton of the country or of India: and in the Amhara into blocks of salt, vary in number at each market-place. This salt is cut in the plains of the Taltal, near the Red Sea, and transported far into the interior; it becomes very valuable in the Galla provinces, where eight small pieces are sometimes exchanged for a dollar, and a hundred will purchase a slave. Gold, which under their Emperors was used a currency, by weight, and was abundant, according to tradition, has now almost disappeared. The Ruler of Shoa sent some pounds of fine gold to the Court of Gondar, moulded in the shape of a mule, in token of fealty. This custom was continued till the last forty years.

The whole dress of the people is of white cotton cloths, spun and wove in the country, nor do they consider a foreigner as dressed at all unless he throws one of

their white mantles over his own apparel. It illustrates curiously the character of this nation, so vain and stubborn in trifles, to see the servants of even a well-dressed European follow him almost with shame, and the rest of the populace regarding him with laughter or sneers, nor is this a small matter nor a trifling difficulty. The first impression does much, and ridicule is harder to vanquish than persecution. Socrates, in our modern attire, would scarcely be respected in Abyssinia.

Could difficulties of other kinds be overcome, the disposition of the Abyssinians is on the whole favourable to the establishment of relations, commercial or political. Many of them are liberal, kind, intelligent, hospitable, comprehending and desiring justice, and above all, with no repulsive feelings towards us on the score of religion, except those excited purposely by the priests. If they are lax in morality, it is more from ignorance than a vicious nature; if they cannot always practise the justice they admire, it is for the want of a strong hand on the justice-seat; if they are indolent, it is because little is to be now gained by labour; if vain and conceited, from being in contact with nations inferior to themselves in arts and arms.

Commerce cannot thrive while there is no efficient protection to property, and while their merchants are treated as enemies or regarded as slaves on the coast. Whether they would change for the better or the worse, under the influence of extended trade and European civilization, is a problem that time alone can solve; but a man of liberal mind, while he regrets their anarchy, their ignorance, their fanaticism, and their vanity, may find something to admire in the individual character, under so many disadvantages.

There are no castes in Abyssinia, but the people may be divided into four classes—military, sacerdotal, agricultural, and mercantile: the number that cannot be included in these is insignificant—a few workmen, as tanners, saddlers, and blacksmiths, disproportioned even to the wants of the community, and some idlers who live by the produce of their farms.

The military is the most numerous and powerful. All men, save the priests, are armed it is true; but those who follow arms as a profession, and roam from the standard of one chief to another, are easily distinguised though they have no uniform, by their air of military license. The regular armies, or masses of men assembled under chiefs, are numerous, and throughout the country must amount to at least 200,000, and as their system renders a large following necessary 500,000 of idlers prey upon the rest. These troops consists of horsemen, armed with lance, shield and swords, footmen caparisoned in like manner, and matchlock-men: they have no artillery. In some provinces, as in Edjo, every man capable of bearing arms is a soldier, at least on his own land, where he fights and ploughs alternately. Here is also found the institution of the tournament somewhat simplified. Once or twice a week, by mutual accord, the youth of the country, with any strangers that wish it, meet at some river on foot or horseback, to fight *à l'outrance;* but also with much chivalrous courtesy. Female singers in shrill recitative, stimulate them to deeds of valour, and offer their charms as a reward to the bravest.

A constant enmity exists between the military and the population in general. Wages being very irregular, the former indemnify themselves often by indiscriminate plunder. As each chief retains his power by the strength of his army only, the soldiers know their own value, and change masters without ceremony; moreover, any fortunate soldier may hope to rise to the highest dignities. A chief, after a reverse, or even should his adversary obtain a high reputation among the men, is in much danger of being deserted by his army. Certain bands of soldiers are placed under officers appointed by the most powerful chiefs, whom for distinction I shall call Ras, and these act as his guards and messengers. There is no attempt at discipline or exercises; the names of the men are never registered, their numbers are scarcely ever known. These troops are generally favoured, as they are relied on to suppress any mutiny by the rest. Besides these, the Ras having distributed his territories amongst his followers, they raise forces according to their rank and revenues, and follow their feudal chief. With rare exceptions, such appointments are not hereditary; indeed, one man seldom retains one long, but are conferred on any fortunate favourite or soldier. The will of the Ras can in a moment deprive any chief of all his power, even of his private property, when, with one or two followers, he becomes a hanger-on at the camp, awaiting with patience some glimpse of royal favour, or, if of a more fiery temper, will probably throw himself into some wild district where he has family influence, and set his master at defiance.

The army thus composed is directed in its general movements by the Ras; on a march no order is observed; the whole mass presses on to the next camp, baggage and women, horse and foot, in indiscriminate confusion; at a precipitous pass or narrow ford many accidents happen. In the order of camping some regularity is observed, the tent of the Ras being in the centre, and advanced and rear-guards occupying the front and rear. The Ras also hold a council of war, and a plan of attack is laid down and followed up as far as regards the position of the forces of each chief; but that done, every man fights much as he pleases: the footmen advance or stand still as their courage leads them; the horsemen charge in large or small numbers, when and where they think fit; the matchlock-men take advantage of the ground and fire when they please, and each man when he has killed an enemy shouts his war-cry and displays his trophies instead of fighting. Plundering begins on the first trifling advantage, and it is often very difficult to discover on which side is the victory. This desultory manner of fighting does not prevent considerable loss of life. The soldiers, when the campaign is ended, are dismissed to roam about their respective districts arms in hand, exacting from the peasantry until again summoned to the field; in return, the country people slay remorselessly all fugitives of either side from a field of battle.

The chiefs keep more or less discipline amongst their troops when on the march or in quarters, according to their personal character. When provisions become scarce in the camp, some district is ordered for plunder, and the soldiers are very expert in discovering hidden stores.

The military despise all other classes save the priesthood. They love splendour of dress in battle, and some of their costume is rich and tasteful.

In the intervals of international quarrels, the troops are kept in good humour by expeditions against the nearest tribes of barbarians, not generally with any views of permanent conquest, but only in search of spoil, and that the soldier may revel in bloody trophies (the foreskins of the Philistines)—the height of his ambition. These trophies are equally sought for in the battles of Christian against Christian, and I am uncertain if it be an ancient custom or introduced only by the Gallas, but incline to the latter opinion. After an engagement these disgusting tokens of success are heaped before the tent of the King,

The soldiers seldom receive regular pay, but rewards are distributed to the bravest, and the more fortunate receive appointments from their respective chiefs. On a campaign they are fed by a tax in corn on the friendly provinces that are occupied, and which, as the soldiers are the tax-gatherers, is soon doubled, or by general plunder.

A silk shirt bestowed by the Ras is the distinction of the Abyssinian nobility, and this belongs only to the military class. Once bestowed, the honour is for life. The highest rank in this nobility is that of Dejajmatch, who is entitled to beat drums before him in the battle, to inflict all punishment save death, and often this also, and who governs one or two provinces almost independently. "Kainajmatch" and "Gerajmatch" are slightly inferior; then come the "Feetwarari," or chief of advanced guards, with some other titles not worth inquiring into, and then the crowd of "possessors of shirts," who may govern from ten to thirty villages when the Ras pleases to bestow his favour. All this system is the relics of some complicated but exact institutions of the Empire of Abyssinia, wherein the Emperor being the fountain of all honour, every great officer of the household had a title, and with that title a particular province or district. Since the divisions of the kingdom have taken place, the Abyssinians themselves have found it impossible to preserve the rules, and have neglected or forgotten the scrupulous ceremonials of the Court of Gondar. While the lances of the Galla have robbed Abyssinia of its fairest provinces, their manners and customs are superseding all its ancient institutions.

There is something of a chivalrous tone in their international warfare, apart from one savage practice that I have mentioned. An interchange of civilities constantly takes place between hostile camps; messengers are respected and prisoners generally well-treated, if of any rank even with courtesy. So polite are they that a chief will send news to his adversary, if not in the field, of the defeat of his army, and the messenger will receive a handsome douceur. Cruelty and brutality are rare; after a battle, as before, all is good humour and laughter, and the vanquished generally share the feast with their victors. No violence is offered to women that are captured; and even the ransom is usually fixed with amenity. Severities are sometimes practised towards those who are regarded as rebels, but

in general an Abyssinian conqueror is merciful. With barbarians, indeed, as the Shankallas or Taltals, the word is kill; but herein they have persuaded themselves that they only exercise an undoubted privilege of Christianity.

To retain the affection of the Abyssinian soldier nothing is necessary but profuse generosity; his heart is in his stomach, and the chief that slaughters many oxen daily and pours out mead in torrents, is the god of his idolatry. Each meal in a camp resembles a feast, and many festivals must also be held, to which all are admitted almost indiscriminately. At these carousals, when gorged with raw meat and excited by huge draughts of mead, they recite their own warlike deed, make the most vaunting promises of future heroism, and often obtain rich gifts in such moments from their superiors. Though all are armed and intoxication is general, accidents or quarrels seldom occur. These great banquets are the life of the soldier, and their barbarous plenty and military license is not unimposing.

Not being accustomed to rely on each other, they are absurdly subject to panics. I have seen a whole army running at night from a single man, who charged into the camp, shouting his war-cry. Disciplined, they would make good soldiers.

They have no distinctive dress, but different ways of plaiting their hair to denote the number of men each has killed with his own hand. Certain ornaments are also permitted only to men of great personal bravery. The slaughter of each dangerous beast of the forest is equivalent to a fixed number of human lives; and those who have never killed are not permitted the distinguished privilege of plaistering their heads with fresh butter.

All the servants of a chief are soldiers; the terms become synonymous in a camp; and the proudest chief is termed the servant of his feudal superior, and is ready whenever they meet to perform for him any menial office. In general they are proud, mutinous, and insubordinate; frequent fights occur in the camp of the Ras between rival bodies of soldiers, though a little severity would soon ensure obedience. On a late occasion his guards on the field of battle, instead of marching forward, lay down on the ground, alleging that they had been insufficiently fed for some months. The Ras (Ali), with unwonted energy, led a charge of cavalry over them as they lay.

The soldiers of Teegray are almost all foot, and their matchlock-men are very skilful and brave.

The Galla regiments of the interior are fine horsemen, and, with discipline, would be a formidable cavalry. As it is, they face fire well, and, like the Parthians, dispersing themselves in flight, suddenly wheel round and inclose a rash pursuer. They have a fine breed of horses. The horse and weapons of the soldier, whether given him by his chief or purchased by himself, are his own property. All who can procure them ride mules on the march, the horses being always led on the road. Each soldier that can afford it keeps a lad to carry his shield, a donkey for his provisions, and a small tent, and a wife to bring him water, make him bread, and wash his feet after a march. As he is entitled to a monthly allowance of corn for each of these attendants, besides extracting all he can from the peasantry, and feasting often in his General's tent, or wherever else the door-keeper is his friend, it may be seen that his condition is not disagreeable; and, in fact, it is the most attractive style of life that the country affords. A common soldier with a good reputation for courage is everywhere respected; he is flattered and caressed by many chiefs, who all strive to secure his services; his name is sung in ballads, and he considers himself, with reason, as equal to the proudest in the land. Such a man will enter the tent of any chief on the day of festival, assert his right to the finest portions of meat, and demand the strongest mead, not only without reproof, but with a cordial reception. And it is the passion for such individual distinction, leading to immediate and solid benefit, with the certainty that any one of them may, by good fortune, arrive at the highest rank, and command where he obeyed, that inspires a love for war in the Abyssinian breast. At the same time the pride engendered by this Republican soldiering induces a fiery impatience of control, and an ambition that leads to unceasing rebellions and distraction.

The great chiefs have generally much dignity of manner, and some of them might be models of tact and polite suavity, particularly those who have any pride of ancestry; but engrossed with the sensual pleasures afforded by their wealth and power, and uncertain how long they may enjoy them, they never dream of improving the condition of their subjects, though often just and indulgent in their rule, as far as the paramount necessity of conciliating their armies will permit.

The Turkish troops have a gread dread of the Abyssinians; though it is probable that 5,000 disciplined soldiers would beat them anywhere in the field, and 10,000 suffice for a permanent occupation of the country. The Abyssinians are convinced that no other nation can compare with them in war. One Chief named Kasoi has lately introduced some improvements into his army, which I shall notice in another place.

While the nobility of the country is entirely military, there is a kind of middle class, composed of the more influential proprietors; these, however, from the exigencies of the times, are also warlike, and must protect their homes and their ploughs, often by the lance and the sword. The most powerful of these are found in the deep valleys of the Nile, the Takazzee, and other large rivers. These rivers form vast clefts in the face of the country throughout their course, of several miles in width, at the bottom of which, at a depth of 3,000 feet, they plough their way betwixt high and precipitous walls of rock. The valleys thus formed are intercepted by rugged water-courses, whose torrents are unfordable in the rainy season. The soil is most productive, and the parts not cultivated are clothed with almost impenetrable jungle. The paths that conduct the traveller through these regions descend along the face of several ranges of precipices, over masses of rock, and frequently through passes that a hundred men might make good against an army.

From these peculiarities that present conversely the difficulties of a mountain territory, the character of the inhabitants is brave and independent, and, led by some great proprietor, they often defy all the efforts of the military chieftains. This proprietor is usually a large cultivator, and possesses numerous cattle; he is judge of the district by common consent, and without appeal. The elders, however, always give him their advice; and as he does not pretend to any superiority, save that of wealth and courage, and is always simple in his habits, there exists a real liberty and equality throughout the society, with the advantage of union under an acknowledged head in moments of danger. Under his orders the youth of the district make predatory expeditions against the Gallas or other neighbouring nations, or prosecute their endless blood-feuds with some adjacent Christian clan. These agricultural lords are of great importance to the military rulers, who, finding it difficult to seduce or force them to submission, flatter and caress them into an occasional contribution; but their valleys being rich depôts of corn, when provisions become scarce one of them is marked out for plunder, and, by secresy and surprise, the attempt is sometimes richly successful, though often the troops are overwhelmed and cut to pieces while toiling up the steep and gloomy passes and thorny forests by the equally well-armed and more active peasants. They generally also receive the "shirt" I have mentioned, or robe of silk, to give them military rank, and attach them to the party of some chief. Occasionally they will follow him to war, but rarely on any distant expedition. They are rich, hospitable to a proverb, proud and manly, and usually skilled in the chase, as these provinces afford ample hunting-grounds, abounding in large game.

The peasants of these districts enjoying a genial climate, live almost in the open air, and, though hardy in youth, soon grow old; they manifest the same impatience of restraint and love of liberty as mountaineers in other lands.

There are also rich proprietors on the plains and high lands, with family influence and some wealth; but these, from their constant contact with the soldiery, who despise and insult them, supply the want of strength by politic wiles, and have not the manliness and simplicity of their compeers of the low country.

The cultivators of the soil—the small farmers and peasantry—though struggling with many difficulties, form a numerous class. In spite of bad government, military oppression, and the constant devastations of war, they bear directly or indirectly the whole burden of taxation and the large standing armies. Though seldom wealthy, they are rarely in distress, and appear attached to their way of life. Soldiery are constantly quartered on them, except in some districts that always turn out *en masse* to resist, and where the troops dare not venture.

Villages may be seen everywhere in Abyssinia, perched on hills, hidden in most inconvenient hollows, and far from water. There are two good reasons for this: in the valleys the borders of the streams are infected with malaria; and on the plain, if they are too easy of access, they are nightly infested by crowds who demand or exact hospitality. On any frequented high road many a ruined hamlet may be seen, deserted by its inhabitants on this account.

In seasons of war and anarchy an influential countryman becomes more valuable as a friend than any Chief; and can, through the ties of relationship, forward goods

and messengers in safety to a distance, when a soldier dare not quit his camp. These are generally entrusted with the collection of revenue, and are often made responsible for it; they are a kind of Zemindars.

A whole province of cultivators, in times when the military are engaged elsewhere, will meet by accord, and some thousands of them will attack another province, destroying, burning, and bequeathing feuds to distant generations. In their culture they would be laborious, were it not for the priestly device of Saints' days, which forces the whole population to be idle for a third of the year. They plough with oxen, and weed with some care; they leave their fields fallow or change the crop, as experience or rather tradition has taught them; and dig, where they cannot plough, the sides of almost precipitous mountains. The most productive crops are obtained on the ground most covered with stones, which they are careful not to remove. During the rainy season a rich verdure clothes every part of Abyssinia that has any prospect of reaping the harvest in tranquillity. Irrigation is practised wherever necessary, the numerous rivulets rendering it an easy task. No fences are ever made; and during the night, when corn is ripening, boys with slings keep up a constant warfare with the wild boar, the addax, and the porcupine; in some districts large fires are necessary to scare the herds of elephants, and every where the watcher is placed on a high platform, to be in safety from the hyæna and the lion. In general they are intelligent, but ruder than the soldier.

From their present industry, I think that in this matter of cultivation they might improve, if they had a more peaceful Government and some security for property, and could be persuaded that men may improve upon their fathers—that it is better to cross a river by a bridge than to wade through a dangerous torrent; or that a mill is preferable for grinding corn to a slave girl. The fields in the neighbourhood of the towns, where military license is in some degree checked by the priests and the ravages of war are less felt, are highly cultivated; land there sells at a good price and is eagerly sought, showing that the sweets of tranquil labour are at least appreciated. If, however, the Government were not strong as well as peaceful, even tranquillity might have its dangers, especially in Teegray. As soon as the country people gain large profits, and mead or beer inflames their blood, the violence and pride of their disposition lead them to aim at power, and without regard to their means, to attack and disorganize society. They express this "inflation" by one word in their own language, which serves as the apology for almost every act of folly, and the inhabitants of Teegray have become a proverb in this respect. I am tempted to give one anecdote to illustrate the phrase: A few years since seven men of Hamazayn, with no other following, marched through 100 miles of country to Adowah, to overturn the existing powers and establish their own sovereignty, shouting war-cries and invoking the assistance of the Virgin. This is an extreme case, but describes well enough the disposition of this curious people. Each man considers himself as born to great destinies, and the smallest spark sets fire to his ambition. This is now owing to the long continued weakness of the Government and the absence of any body of proprietors who are interested in keeping order. Here almost every one thinks he has something to gain by anarchy.

The prosperous or adverse condition of a village depends almost entirely upon the rapacity or moderation of its immediate chief; and the ryots of a harsh master would soon leave him to contemplate empty fields, but for a law that empowers him to seize them and force them to cultivate or to give security for their share of all imposts. The villagers are further interested in preventing desertion, as, though only three inhabitants should remain, they must pay the whole sum at which the village was originally assessed. The imposts are numerous, but vary according to the traditionary customs of each village. They pay a certain portion in kind to the Ras, or other great Chief, and sometimes a regular tax in money; besides this they must furnish oxen to plough the King's lands: their immediate Governor then takes his share in kind of every grain—say a fifth, and feeds besides a certain number of soldiers at the expense of each householder; he has rights to oxen, sheep, and goats, butter, honey, and every other requisite for subsistence; he must be received with joy and feasting by his subjects whenever he visits them, and can demand from them contributions on fifty pretexts—he is going on a campaign, or returned from one; he has lost a horse, or married a wife; his property has been consumed by fire, or he has lost his all in battle; or the sacred duty of a funeral banquet cannot be fulfilled without their aid.

There is in each village one hereditary officer, that cannot be displaced on any

pretence; and it is this institution alone that preserves some appearance of order, in the absence of all written documents, amidst the whirl of revolutions, and the rapid succession of dynasties and Governors. This humble officer takes one-tenth of all that he collects for his Chief. When the latter is changed, he informs his successor what is left of the last year's revenues, of the boundaries of his land, of the amount of imposts, of his various privileges, and all the little secrets of the community, so that in a short time the new Governor is as much at home as the old one. The amount of traditional knowledge and memory of these persons is often extraordinary. The boundaries that he has to define are very simple; a brook, a bush, or stone, mark the limits of a village; but when their neighbours' fields, as often happens, are interlaced, it is a complicated task, and gives rise to endless litigation, often to violence. In forest or plain, covered only with grass and jungle, and here and there a heap of ruins, should a village be rebuilt and cultivation resumed, some such ancient peasant is soon found, who demands his post, and points out from memory the boundaries; the descendants of the former inhabitants are sought out under his directions, and under a lenient Governor all is restored to its former condition. When land or houses are sold, numerous little children are called to receive a handful of peas, and are useful afterwards as witnesses from these juvenile recollections.

Though the feudal power of the military Chiefs is so great, it may be doubted if the influence of the priesthood be not more important. That body holds in chains the mind of the people, moulds at will customs, morals, and all the social ties, which have consequently remained almost unchanged, amidst the change of dynasties, the ruinous shocks of international war, and the gradual crumbling away of a wide and Christian Empire.

The spirit of Protestantism, or free inquiry, is not more welcome in Abyssinia than in other primitive churches; but from the less eager spirit of its people, it has not been found necessary to check it by any penalties. Going to the fountain-head they teach but one book to the children of the laity, "The Psalms of David," and, without forbidding other learning, discourage it, confining it as much as possible to the clergy and the scribes. Their great numbers, the almost superstitious reverence of the multitude, and the practice of confession and absolution, have enabled the priests to pursue this system with success.

All the larger towns are entirely under their control, and being cities of refuge, sacred even from the Ras, are filled with dissolute and dangerous characters.

This institution is probably a remnant of their Mosaic law, and gives them great power over the bodies, as the ceremony of confession, and the dreadful thunder of excommunication, do over the imagination, of an ignorant race.

The Christianity professed and taught in Abyssinia is much materialized. The religion that is elsewhere the companion of progress, is here made the stumbling-block to improvement; stress, for the most part, being only laid on its ceremonies, and many being added that in no way belong to it.

Though they detest the Church of Rome, and indeed despise all save their own, quarrelling even with the Alexandrian from which they receive their Aboona, or high Priest, through their love of contradiction, they may be thought to have taken some good lessons from the former, on the means of retaining the population in blind submission.

All church service is conducted in the Geez tongue, unknown saved to the learned. The Psalms are also in that language, and the pupil, while encouraged to read them, is persuaded that he should not seek to understand them, but that he fulfils a high duty by gabbling over a number of them daily. No one save the priest himself is ever instructed in the gospel in any tongue. Great adoration is paid to the Virgin Mary, and to numberless saints and angels. Their churches are filled with pictures, to which, when unveiled, the multitude bows with reverence. Fasting is rigidly insisted on, sometimes however compounded for by money. These fasts embrace nearly two-thirds of the year, and most of those who keep them are convinced that they will be weighed against their sins, though this doctrine is not officially taught. So much do they attach importance to this and other outward forms, that a man of "Hamazayn" will slay his near relative, and returning home calmly, will be horror-stricken should his wife have ground flour on a saint's day, or prepared his meal before the hours of fasting have expired.

The churches are very numerous, and each church is itself an object of

devotion, as it is firmly believed that the saint whose name it bears, actually resides in its sanctuary. The stones are kissed with awe, and offerings are deposited, which the priest receive; vows are registered and prayers are made, with equal fervour to the Virgin, our Saviour, or some traditional martyr of the Abyssinian church, from which they expect immediate benefit in this world as well as salvation in the next. Miracles I need scarcely say are not unfrequent, and certain spots of peculiar sanctity perform them almost daily. Whenever offerings slacken, and the numbers that kneel at the shrine decrease, a picture rolls its eyes, a leper is cleansed, or the blind are restored to sight.

Great respect is paid to all who wear the white turban, the mark of priesthood; they are always addressed as "father," and as superiors in the second person plural, even by chiefs of the highest rank. Any person dying without having chosen a father confessor, is denied Christian burial, and so jealous are the priests of this great means of power, that they extend the rule to strangers. The confessors of the great men are usually indulgent, and they are permitted to compound for their frailties by the endowing of a new church, or handsome gifts to an old one. Nor are monasteries wanting to complete the resemblance to the Roman Catholic Church, and to the middle ages, where every immorality is practised; nor solitary hermits who dwell in gloomy forests, feeding on roots, and exposed to ferocious animals, and who are sometimes as sincere as they are useless. Nunneries alone are absent from the picture, though vows of celibacy are sometimes taken, if rarely kept, save at an advanced age.

Christianity is reduced to the simple form of obedience to the priest. The Gospel is forbidden in our translations into the modern Amharic tongue, nor is there one man in ten thousand who knows the commonest precepts of his religion. If some few moral ideas are not denied, they are never inculcated or insisted on, and absolution can always be obtained for money. So blindly devoted is the Abyssinian laity to these astute fathers, that even the almost daily spectacle of their drunkenness, excesses, and immorality, nay, the knowledge that the confessional means "seduction made easy," excites no feeling of disgust and astonishment.

Thus it is not wonderful, if lying, sexual intercourse, intoxication, or manslaughter, are regarded as venial—things that might be considered curious as the daily occupation of professing Christians, were it not for the ignorance in which they are studiously retained under meshes too cunningly woven to be burst by any efforts of their own. Their present immorality does not argue a bad nature in the Abyssinian; on the contrary, I am astonished that good and moral men are still found: and it is certain that Christianity, even thus debased, has hitherto saved them from the wantonness of crime and excess of cruelty that stains the records of almost all African races, and of some in other quarters of the globe. It is necessary for the strangers in Abyssinia to propitiate the church, or at least to be very careful how he attacks it in his conversation. Should an outcry be raised on such points as his want of respect for the priests, his not fasting, his eating with Mahomedans, which is regarded with horror, or the like, he will find it difficult to resist the storm, though the Abyssinian persecutor is generally content with banishment. It was by these means that the English Protestant Mission was unceremoniously ejected, when it was found that it was introducing the New Testament to notice in the Amhara language, and announcing truths dangerous to priestcraft.

One-third of the lands was originally set apart for the church, but this portion is now much reduced, though its share is still large.

The native head of the Abyssinian church is called the "Tchegee," and resides at Gondar, his house being a place of peculiar sanctity; but the bishop, called "Aboona," who receives a reverence almost amounting to worship, is always a Copt. He is sent by the Patriarch of Alexandria on consideration of some thousand dollars collected and forwarded by the Abyssinians for his journey. The present Aboona is said to be the one hundred and eighteenth, and is named Salama. His chief residence should also be at Gondar, but there have been fierce disputes in the Abyssinian Church, and the gifts of Sahela Selassie, of Shoa, prevailed on the Ras Ali to banish the Aboona, who has since been living near Adowah, where he has still large possessions. All churches must be consecrated, all priests and deacons ordained by him; crowds of pilgrims are always waiting in his courts, sometimes intermixed with men of rank, some to obtain a blessing or to be assoiled from deadly sin, a great number to made deacons. Worn with a journey of

perhaps months, priests are there in flaunting red garnments, carrying a mysterious box, wherein is kept the "Holy of Holies" of each church, like the ark of the covenant,—waiting for the blessing of the Aboona, which is equivalent to the consecration of that church. His sentence of excommunication is much dreaded, and he has great influence in all the political or warlike movements in the country. His residence is an inviolable sanctuary.

From time to time the Church of Rome has made great efforts to induce the Abyssinians to recognise the Pope of Rome as their spiritual head. The Jesuits at one time having nearly succeeded, and having lighted up the flames of civil war in the time of the Emperor Socinios, failed at last, and were massacred or banished. At this time the struggle is renewed by several missions under three bishops to gain a footing in this territory.

The Aboona by interdict, and when that fails by inducing the chief to expel these intruders, carries on a war with them with various success; as to his prestige, they oppose money. These missions are under the protection of France.

Even the Aboona, influencial as he is, finds it difficult to assert his authority over the banded priests when they differ on any doctrinal point; nor dares he announce a truth that may oppose any strong national prejudice. Should he say that a Christian is permitted to eat what he pleases, he would raise a storm from which his sacred character would scarcely protect him. Priests are permitted to marry one wife, but not a second time, except the Aboona and Tchegee, who should lead a life of rigid celibacy.

The only interference of the chiefs in church government is in the appointment of a civil officer in each town, who settles all disputes, orders church ceremonials, and receives large profits. He must have some learning, and is called "Alika."

The priests have no pay, but the profits on the land attached to each church are divided in proportion to their several dignities. Then the father confessors extract what they can, according to the wealth of their patients; the pious bestow rich offerings for their spiritual welfare, and the laity are mulcted on the occasions of births, christenings, marriages, deaths, registers of sale and purchase, burials, and the like; so that besides their continual feasting at the public expense, they are usually well stocked with money, and from their numbers have been compared by the Abyssinians to locusts.

It is just, however, to say that they have preserved the Christian faith impure, indeed, but still alive, in the midst of foreign invasion, domestic degradation, and the extinction of Government, and that it is under their protection that agriculture flourishes and villages are built where deserts would else be seen. What learning exists has also been preserved by them from utter extinction. But as they become themselves daily more corrupt, society more disorganized, and the law more inefficient, church and people will be lost in utter barbarism, unless Providence have preserved those embers of civilization to be cherished into life by some more generous and powerful nation.

Their learning is limited almost to the books of the Old and New Testament, into which some are admitted that we consider apocryphal; besides these there are some monkish legends, a code of laws, and the chronicles of their kings, containing in a mass of rubbish a few sentences worthy of notice. All these books, written by monks with much labour, were formerly eagerly sought for, but are now neglected, almost forgotten. The art of painting is nearly lost; and ornamental missals may now be found very cheap, as there are scarcely any purchasers; the number of persons that can read and write is diminishing daily, and the code of laws is becoming a mystery to the most learned. There are about four hundred works in the country, of which eighty-one for the Bible.

Numbers of Abyssinian priests and monks visit Jerusalem yearly, and it may be deemed singular that these, receiving much kindness at the hands of Europeans, do not awaken their countrymen to some knowledge of the world beyond, and some better feeling towards their fellow Christians than contempt or indifference.

It is one of the difficulties of an Envoy, that while the Turk regards his intercourse with a jealous eye, and the fanatic Mahomedan hates him as the friend of the Christians, the Abyssinian too generally regards him as a man without religion, that is, without those outward forms that he is taught as more important than either morality, truth, or humility. These pilgrims generally disclaim the reception of any kindness, and declare that Franks have no religion. They all eat meat of any kind on their journies, but are most fanatic on their return against intercourse with the Mussulman, and fervently deny having tasted the abhorred flesh of his shambles,

declaring that what is killed by an European is also contaminating, his Chr. istianity being most impure.

Yet these monks have faith, and energy in their faith, though ill-directed; for 1,500 years numbers have worshipped at the tomb of the Saviour, have braved persecution, and devoted themselves to certain death. Many of them now risk their lives to visit some forgotten shrine, once a church belonging to their fathers, and the centre of population and culture, now a few shapeless stones in a howling wilderness, the lair of wild beasts, and surrounded for many a weary day's journey by hostile tribes of Arabs or negroes, who slay the pilgrim that they may not return home with unbloody hands.

Scribes or "deftaras" are often more learned than the priests, and equally take advantage of the general ignorance. Their principal gain is by writing amulets, and charms against every disease, almost against death; it is believed that some of these men, by their spells can invoke demons and spirits from the waters, they being careful to nourish the delusion by juggling exhibitions from time to time. They also profess medicine, and as they do not much analyse the effects of their drugs, many an unfortunate falls a victim to some poisonous plant administered as a love philtre. Most of them are hangers-on of the different churches; they are generally cunning, debauched, and mischief-makers.

Jews are still found in some numbers, and though despised are not persecuted; this may be owing to their poverty. They know nothing of the Hebrew tongue; but some read the Mosaic books in the Geez, and are as scrupulous in their ceremonials as their brethren elsewhere. They are the best masons in the country. They have no peculiar physiognomy.

The Koomants, found only in the neighbourhood of Gondar, are acknowledged by neither Christian, Mussulman, nor Jew, and have a bastard creed, a compound of all three. They are skilful carpenters, and supply all Gondar with wood. They are despised, but being very courageous, and having lately shown an inclining towards Christianity, it is not improbable that their distinctions will soon disappear, many even now have ceased a practice which was the chief separating cause. They hung heavy weights in the lobe of the ear of the girls, who were thereby excluded from any chance of marriage with Christians.

The "Wytos" are a small class, who live by hunting the hippopotamus; they eat the flesh, and sell the hide and teeth. They call themselves Mahomedans, but are not recognized by the other followers of that creed. They principally reside near the Lake Tānā, and are a very handsome race. They are regarded with as much aversion as the Jews. But all these classes are permitted the free exercise of their own religious faith.

There are many Mahomedans in Abyssinia, and in all large towns they have a separate quarter, with mosques and public prayers. From the advantage that their commerce in slaves gives them over their Christian competitors, the Mussulman traders are the most wealthy, and are, therefore, generally appointed to the high post of Negadeh Ras, or collector of all customs, literally "head of merchants." To enforce their authority these keep large bodies of armed men, and confidently predict the final triumph of the faith of the Prophet in Abyssinia. The Abyssinian Mussulmans, as distinguished from the Galla, are all traders; they will not eat meat killed by Christians, and are frequently their superiors in morality and intelligence. They live on terms of equality, good humour, and friendship with the Christians, openly defend their creed, and receive any proselyte that offers, and do not appear to think that the restrictions in the Koran respecting strong drinks apply to them at all. Mahomedans and Christians do not intermarry. One cannot but admire the toleration of this people, though it does not extend to other Christians; however, no one can be molested on account of his opinions, and a small concession will always mollify the church. There is no distinction in dress between those who profess different creeds, and are all subject to the same law.

The Mahomedans, like the Christians, do not in general seclude their women; and the latter maintain in general the important privilege of displaying their charms. This formerly was done by females of all ranks and religions, but lately, to imitate the great chiefs, who secluded their wives, from jealousy, the custom of a harem is being gradually adopted in the towns and by the wealthy. I may add here that, in spite of the prevalence of Christianity, and the abundance of its professing teachers, Mussulmans are not alone in the doctrine of plurality, almost every man keeping as many handmaidens as his means will permit.

The mercantile community are not very numerous, and are looked on with much contempt by the military, but patronized by the chiefs, whom they conciliate by rare presents, in addition to the duties they pay. The Mahomedans of Abyssinian extraction, not Galla, follow rarely any other pursuit, and three-fourths of the trade are in their hands; of wealthy Christian merchants, there are scarcely twenty in the whole country. The rich caravans travel in large numbers, and well armed, and are as well used to hard fights as the soldiery, especially those who reach Enarea. They have no traits which distinguish twem from any other class of the community; and the merchant must stuff his followers with meat and mead like the military chief, paying, in addition, regular wages.

The countries richest in commercial produce are the Galla provinces of Enarea, Djimma, and those adjacent. They abound in ivory, zibbad, excellent coffee, wax, and spices; gold is found in the sands, and these districts are accustomed to trade with the Abyssinian caravans. Their products find one outlet through Shoa and the Adaiel, eastward into the Indian Ocean, at the port of Zeyla; another through Abyssinia, by various channels, northward, and passing either through Gondar and Sennaar, to Egypt, or through Adowah and Massowah, into the Red Sea. A third route is frequented by the traders who, following the course of the White Nile, also reach Khartoom, and there meet the caravan from Gondar.

The caravans to the Red Sea are swelled on the route by small parties with the produce of Abyssinia—wax, coffee of an inferior quality, ivory, buffaloes' horns, hides, ghee, honey, and mules. The list may appear limited, but little inducement is offered to the trader, either by his own unsettled and oppressive Government or by Turkish apathy on the coast; and provinces are left desert that are capable of growing many valuable articles for commercial purposes, while those that exist are but half-known, and the quantity of those in use might be multiplied fifty-fold by encouragement. Amongst the products of Abyssinia, not considered as of value at present, I may mention aloes, aniseed, castor-oil, senna, ebony, gum, hippopotamus' teeth, saffron, and sulphur.

Pepper and other spices are now imported from India, while there are numerous districts fit for their growth between the Red Sea and Enarea. The quantity of coffee might be immensely increased under a tolerable Government. Among the nomad tribes on the coast, an extensive trade in hides, salt-meat, and horns, might be created. Should means of destruction become more generally known, the quantity of ivory would be much increased. Gold and copper veins might be found. The valuable zibbad, now monopolized by the King of Enarea, might be reared all over Abyssinia, where, though the cat exists in a wild state, no one has ever thought of domesticating it, which would be an innovation.

Cotton cloth is the universal and only dress of the country, and cotton is imported from Cutch, while Abyssinia should be capable of producing largely for exportation of a much superior quality. Besides the tropical rains, the means of irrigation are everywhere abundant; while the excellent quality of the soil and the mildness of the climate would render that resource unnecessary for most plantations. Owing to bad government, fertile lands near the sea have been abandoned to flocks and herds for a breadth of 100 miles between the coast and Abyssinia; and plains of sulphur at seventy or eighty miles from Massowah are unknown to the Turkish Governor, that article being imported in small quantities from beyond the sea.

Everything is transported on horses, mules, or donkeys; and the large caravans, moving very slowly, are often a year from Enarea to Massowah, a distance by the road of about 750 miles. The slowness of their progress is owing partly to the natural difficulties of a rugged and mountainous country, without roads, but still more to the embarrassing institutions of the tribes or nations through which they pass. The despots of the monarchical Gallas, as Enarea—where, as I have said, the richest produce is found, and which town is the great mart of this part of Africa—must be propitiated by presents and flattery. The Slave Trade is a great source of revenue to those Kings; and for this reason the Christian merchants seldom transact business so far in the interior, leaving those wealthy reservoirs to the Moslem traders in human flesh, through whose influence all that part of the country is gradually adopting the Mahomedan creed.

Enarea is frequented by traders from Zanzibar and Sajoora, from Massowah and Khartoom, from Darfoor and Khoordoofān, and, it is said, even from Darsālā and Timbuctoo; but even the frequenters of that depôt seem to know little of any tribes on the Equator. Constant as are the wars between tribe and tribe, the

merchants are protected by all, and escorted to the limits of each province, where they are received under a temporary truce by their friends in the other. Should there be an intervening wilderness, the trader must trust to his own weapons and a stout heart.

When the caravans having left the dominions of the King of Enarea, on the road for Massowah, which most concerns us at present, enter the territories of republican Gallas, not only each tribe, but each influential individual, and each one who has a hut on the line of march, must be paid and caressed. As the best way of effecting this, the merchants camp on the frontier of each district, under the protection of some influential inhabitant, and there make their bargain with all those who have claims along the line of road. These claims being all settled, which may occupy a month or six weeks, they make a stretch into the next district, and with each tribe the same operation must be repeated. This system continues until they reach Basso, the southern province of Abyssinia on that road. To reach this halting place, they must cross the River Abbāi or Blue Nile, through which valley is the most dangerous part of their progress. This wilderness, a hunting-ground for wild beasts, hot and desolate, contrasts strongly with the fertile crops of Gooderoo that they are leaving, and the fresh pastures of Godjam that they hope to reach—a hope not always realized. Hundreds of Galla horse lay hidden on the long grass and thorny thickets apprised by numerous scouts of the numbers and quality of the approaching caravan. The Abyssinian Chief of Basso, it is true, furnishes a strong escort, but not unfrequently convoy and caravan are cut off almost to a man, and that fatal spot, yearly the scene of deadly combats, is dreaded by the merchant, and rouses all the energy of the traveller. Such are some of the labours and dangers of the traders to Enarea.

After reaching Basso, the trading depôt being named Ayjubay, they are in comparative safety; but the perils they have passed are almost preferable to the endless vexations and exactions of the Abyssinian institutions.

The system of customs is in fact a struggle betwixt the merchants on the one hand and on the other the Negadeh Rases, who farm the duties in the large towns, and numerous small military governors, who exact what they can at other posts—this system leading necessarily to loss of time, smuggling, and often bloodshed.

A Negadeh Ras, or chief of merchants, is appointed in six towns of Abyssinia—Ayjubay, Derrita, Gondar, Sokota, Doobaruk, and Adowah. In five of these the officer is a Mahomedan; at Doobaruk, somewhat inferior in importance, a Christian. Paying fixed sums to the great Chiefs, they are permitted to screw all they can out of merchants, and keep in their pay large bodies of armed men to enforce their severe regulations. They are also obliged to do feudal service for the Chief when called upon. Each Negadeh Ras establishes numerous minor posts, where the merchants are harassed for small sums, and with the military claimants they must compound as they best can. The right of pasturage and trespasses are fruitful sources of contention and delay. It is true that the richer traders are generally on good terms with the great Chiefs by constant presents and flattery, and escape pretty easily from his followers; but those on a small scale are plundered unmercifully, and their whole property sometimes confiscated on the plea of smuggling, true or false. All are despised by the military, and for fear of future consequences are obliged to receive nightly in their houses insolent and riotous soldiers, who, even when receiving hospitality, scarcely deign to disguise their contempt. They are also in constant fear of being claimed by the Chiefs to extort money. In the desert parts of the country, if any rebels or robbers are in force, they have not unfrequently to fight in defence of their goods in Abyssinia, as amongst the Gallas; and the merchants from the Province of Walkait, bordering on Sennaar, have another danger to encounter; bands of negroes, called Shankalla, in bodies of 500 and 1,000, often occupy the road in ambush, and sometimes succeed in surprising and slaughtering and entire caravan. This feud is uninterrupted, and no quarter is ever given. When the merchant has settled for his vexatious tolls, and averted with success all human enemies, he has also to encounter the difficulties of raging floods, precipitous mountains, frightful roads, and wild beasts that destroy his mules. Their situation would be much bettered were Abyssinia under one master, instead of being ground by so many Chiefs, each of whom frames despotic laws in his own province, and often makes the forced friendship of a merchant for his rival, or the compulsory exactions of a rebel whom he himself cannot subdue a pretext for a heavy fine. The frontier provinces of Teegray towards the sea, Kalagoozāi and Hamazayn, are now disorderly republics, save a tribute forced on them by the

arms and the fortune of Oobeay, and will probably soon entirely detach themselves from the shaking fabric of Abyssinian society; and here there is no law or protection for the trader, save such moderation as self-interest may teach the villagers on the road. Combats are not unfrequent; but as it is known that the caravans will fight to the death in behalf of their property, being generally all they possess, even the most rapacious are afraid to push matters to extremity. The merchants also make friends of the most influential proprietors. On arriving amidst the Shiho tribes, between these provinces and the coast through which they must pass to reach Massowah, they suffer great extortions under pretence of guides and permission to pass through this territory, inhabited by Mahomedans, who acknowledge no sovereign, either Turk or Christian, and amongst whom each man claims a share of the booty. Having scrambled through these valleys, the produce of Enarea at last arrives once in the year at Massowah, where the merchants, if Christian, were formerly subject to insult, violence, and injustice; but of late years, if not encouraged, have at least been treated with decency and moderation—a result to which I may, without vanity, believe myself to have contributed.

A caravan at each halt, makes a camp near some spring or river. The packages are piled up to the height of four or five feet, with spaces left at intervals; the long sticks with which they drive the mules are thrown across these to form a roof, and soft hides are laid over all, making a series of waterproof cabins, in which the wealthy nestle among their goods; the followers erect temporary huts all round, and in the centre the mules are tied at night. Numbers of young men are sent to cut grass; others to trade with the nearest villagers for supplies. Strict watch is kept all night by the light of large wood fires. At daylight they resume their journey, and a caravan of two or three hundred mules will be off in less than half-an-hour. The small traders who carry goods from market to market, disperse themselves at night in the villages amongst their friends; as also do those who cary salt. Great numbers of men are employed in this important commerce, salt being the current money of the kingdom, and found only in the Taltal district not very far from Massowah. Small blocks are cut of eight inches in length, and slung over the back of a donkey to the number of 150 or more; being first brought by camels from the arid salt plains into Teegray. Hides are placed over as a protection from the rain, and these traders then hurry with great speed to every market in the kingdom, and young girls may be seen on journeys of several hundred miles, carrying 60 pieces on their backs, to work out a dowry for themselves. The salt having to pay constant toll, becomes rapidly more dear, and while in Teegray 200 pieces can be obtained for a dollar, in Godjam 30 are considered a high rate; and in the Galla provinces salt is one of the chief luxuries of life.

The manufactures in request in Abyssinia are almost all British; red cloth, calico, silks and velvets of all kinds, printed cottons, &c., are all imported from Bombay, as well as red and blue Indian bunting, raw silk, Surat tobacco, and Indian manufactured silks. English sabres and fire-arms are much in request, but are prohibited by the blockade of the Turks at Massowah. Matchlocks only were admired formerly, but of late years percussion guns are in great demand. In all things they cry out for English goods. Some kinds of Egyptian cloth sell in large quantities, and also American drill. Trieste sends glassware and beads, which are required principally for the slave-dealers; and the frankincense of Arabia supplies the Abyssinian churches. I have already furnished an exact list of the exports and imports of Massowah.

It is unnecessary to dwell at present upon the probability of developing the commercial resources of the Gallas. That they possess them in abundance unknown to themselves is certain, but their most important districts are so distant from the coast that no European merchant could risk in person so hazardous a journey. Nothing but the establishment of a firm Government and an enlightened system in Abyssinia can much influence the condition of these tribes. The Abyssinian merchants will, however, communicate whatever impulse they may receive from the coast and push on into the furthest provinces with increased vigour. The Abyssinians are greedy of gain, and a desire for European luxuries already exists. The stimulus of capital and protection on the coast would soon cause a great change in their domestic policy, convert their grass wildernesses and thorny forests into thriving plantations, and create as large a commerce as can exist in a country where water carriage is hopeless, and even the introduction of waggons must be

the task of years, owing to national prejudice, rugged elevations, abrupt valleys, and the utter absence of roads and bridges.

The ancient form of government in Abyssinia was a despotic monarchy, with many Persian forms and Jewish institutions. This, while powerful, was preferable to the present state of lawless violence, and afforded an appearance of unity, however ill the law may have been executed, as appears by their records. Long before its fall, the inroads of Mahomedans on the coast of the Red Sea, and of the Gallas on the southern and eastern boundaries, had much reduced the ancient limits of the Empire; and the Royal Family had ceased to be regarded with respect or fear, even in the few provinces that their arms could still defend.

This monarchy was finally overthrown by Ras Michael of Teegray, shortly after the visit of Bruce to Gondar; and that Ras was next attacked and defeated by the Gallas, under pretence of avenging the Emperor. The son of Ras Michael having been afterwards slain in battle by the Mahomedans from Edjo and Worrahaimano, in the general confusion that ensued, a young man of no note from the former province named Gooksa, seized the province of Begemder, and received from the deposed but still recognized "Ahtiee," or Emperor, the title of Ras. Here the power of the Church was felt, and though by the aid of Mussulman sabres he had overthrown Christian forces, and felt himself strong enough to portion out the country amongst his followers, and to contemn the royal shadow at Gondar, he was obliged to profess the Christian faith, not daring to risk the holy war that would otherwise have been kindled by the priests.

He then became virtual Ruler of Abyssinia, as far as subtlety and force could confirm his title; but in the north, Teegray acknowledged only its native princes, and Godjam, in the south, kept him occupied in constant wars with various fortune. From that time, nearly seventy years, this Galla dynasty has held Begemder, and if not acknowledged Sovereigns were most powerful pretenders. It is owing to this revolution, and the consequent number of claimants for power, none of whom have succeeded in establishing a permanent and hereditary authority, that relations with Abyssinia have been since so difficult and fruitless.

Ras Ali, the grandson of Gooksa, having received tribute and a professed allegiance from the other Chiefs, including him of Teegray, became the sole Ras. Nevertheless, all men having arms in their hands and many leaders heading large armies, the whole period of his reign the Ras was in the saddle, and his palace was his tent; being engaged in pursuing those who fled into impregnable mountain strongholds or pathless wildernesses, or in striking down others who withstood his arms in open fight, during a period of twenty-two years. Before proceeding to a sketch of late events which have hurled the Ras from his throne, I will endeavour to give some outline of his career, the manner of government, and the administration of justice, since the fall of the Gondar monarchy

Ras Ali has, during his reign, overcome three powerful cabals of the northern and southern chiefs combined. During the government of Ras Gooksa, the Ras Welda Selasee, in Teegray (to whom an embassy was sent by England), and Ras Gibree, in Semen, were independent. Oobeay, the grandson of Ras Gibree, slew Dejaj Sabagardis, the successor of Ras Welda Selasee, who also contemplated a strict alliance with us; and after that victory, conquered Teegray, which province he has held in subjection for twenty years. Although Dejaj Oobeay became, by this acquisition of territory, a formidable rival, after several severe struggles he was forced to recognize Ras Ali as his Chief, to pay him tribute yearly, and to send a quota of troops as feudal service. All others being apparently vanquished, the Chief of Godjam, Dejaj Birro, alone held out unconquered through the whole period of Ras Ali's power. After repeated victories over the troops sent against him, an overwhelming force, headed by the Ras in person, drove him for refuge to his mountain, where he remained shut up for five years. During this period was my Mission; and while the Ras might thus be said to be, in one way or other, complete master of Abyssinia. But this mastery, however proud a position for himself, secured by a turbulent and licentious army, was necessarily factitious; and the numerous bands of Gallas, his relatives, brought by him to sustain his precarious power, with the difficulty of feeding the immense army he kept up, in no way added to the security of property and the tranquillity of the land. Indeed, he had many troubles even in his camp; for the great Chiefs, though from fear, and yet chafing at the obligation, they rendered him feudal service, still asserted almost sovereign rights in their several provinces; and many of them, who claimed descent from the

Royalty of Gondar, or whose ancestors had held high offices under the Empire, considered themselves with some reason his equals. Others, again, of inferior pretensions, plundered the country, or exacted contributions in proportion to their force. The Ras, could all his vassals be united, might have mustered at one time 50,000 men of all arms; and his rival, Oobeay, 30,000; yet many a petty adventurer, their equal in birth perhaps, with only 500 or 1,000 followers, trusting to the strength of his mountains or valleys and his local influence, continually braves these rulers; and though, after much bloodshed, many of them have been reduced to obedience, enough are always under arms to render the roads unsafe without a military force, or the escort of a strong caravan of merchants. It may easily be conceived that each Chief, in proportion to his importance, deals pretty much as he pleases with travellers or merchants on his own ground; and in these matters the Ras is too powerless, or too careless, to interfere, inasmuch as it is easy to provoke a rebellion amongst a soldiery that regard inaction as a penalty and war as a delight. Little vigour is shown in suppressing these outbreaks, the Ras generally caring little if his own supplies are not cut off, or his revenues seriously diminished. He generally makes terms with his rebellious vassals, preferring policy to force.

The feudal sovereignty of the Ras having been established by the sword, and depending at any time on the issue of a battle, in appointing a "Dejajmatch," or Governor of a province, he is obliged to be attentive to the claims of the great families, who, from their hereditary influence, must be either rulers or rebels in their respective districts; the doubtful alternative of destroying them he was always too merciful to adopt. These chiefs follow him to war, and give him a portion of their revenues; they bestow on their retainers, districts and villages as they please; and the pay of each is the revenue he can extract from these allotments.

The Ras reserves for himself a number of provinces, to provide for his household officers and troops. The soldiers are paid an uncertain sum of money occasionally, and have a monthly allowance of corn. This corn is sometimes measured out from the Ras' granaries; but more often a half-plundering license to quarter themselves in the reserved provinces is given. This is not always patiently acquiesced in, and bloody struggles ensue, in which the peasantry sometimes succeed in expelling the soldiery; the weakness of the Ras, generally, obliging him to overlook such an affair.

The petty household of a Chief who has three or four villages, is an exact imitation, on a ludicrous scale, of that of one who musters at a word 5,000 horse. He has all officers, and no servants; his "king's mouth," his major-domo, his grand butler, his chief of commissariat, his jester, his master of the horse, and so forth; this, with an establishment of perhaps thirty persons, each system revolving round its sun or candle. Yet, as every military man who is courageous or well connected may hope with reason to reach the highest grade, they practise state without thinking themselves absurd. The Ras is, truly, only the most powerful of a number of competitors; several of those who acknowledged him as feudal superior, maintaining their right to judge without appeal. It is one favourable trait in this long rivalry, that poison, or assassination, have rarely, if ever, been resorted to; their warfare being open, often chivalrous.

The Chiefs are generally so far just as the paramount need of feeding and conciliating their armies will permit; and, of course, where their whims and personal interests are not concerned. But though the judgment may be just, the poor do not often profit by it. Almost all the subordinate Governors being rapacious, justice must be sought at the fountain-head; and then, with the distance they have to travel, over the worst roads, the net-work of retainers and favourites about the great man, who render it difficult to obtain admission, and the local influence of the Chief against whose decision they appeal—they seldom return home without, in some shape, repenting their success. Still it gives them pleasure to succeed; nor is there any nation that so delights in litigation—a proof that, while under a badly organized military oligarchy, they are obliged to trust often to arms for their defence, they would yield easy obedience to the law when administered with vigour and regularity. It is not an uninteresting sight to witness the Ras' Court filled with suitors of all classes; the multitude in attendance seated on the grass, no one excluded; and the highest noble, the meanest peasant, standing, pleading on equal terms before his judges or himself, and using entire liberty of speech. But this well-intended impartiality is nullified by the manner of procuring testimony.

The first step in every cause is to call on both parties to find security. These securities must be persons whom the judge is certain of being able to seize if necessary. If the charge be serious they must be persons of property, and are

liable both for the appearance of their principals, and for the sentence whatever that may be. This custom obtains both in civil and criminal law. In default of such security, each party is chained by the wrist; an additional expense, as the chains must be hired, and the jailor, that is, the person to whom he is chained, paid a sum fixed by law. This bail is the prop of Abyssinian society; no commercial or market transfer takes place without it. In this manner is ensured the payment of debt or interest, and of the King's revenue. The Abyssinian judge or creditor cares nothing for the principal in a cause; the bail is seized, and in self-defence produces his man; and it is an honourable trait that the principal rarely absconds. A friend will thus become security in cases of murder, though rendering himself thereby liable to suffer death, or to pay the price of blood; to them a fortune.

After both parties have given security, the plaintiff only is allowed to produce his witnesses: the defendant can, when they are called by name, admit or reject their evidence; in almost every case great indulgence being shown in this respect. The plaintiff stating then that he can produce witnesses for his statement, demands a "travelling judge." This judge is furnished by the Ras, usually a common soldier of his guards, on rare occasions an officer. His duty is to collect testimony orally, wherever the question may have arisen, perhaps 300 miles distant. The parties travel with him, mostly on foot, chained, if they have not furnished bail, over this extent of ground, and on his return, he reports from memory all the evidence he has collected by examination of the witnesses of the plaintiff; the defendant may cross-examine these witnesses. The report is generally faithful. The parties are then severally demanded if it be true, and if they assent, final judgment is given; if they differ, or the Chief finds anything suspicious in the case, or if he wishes for more information thereon, they must all start again, and are sometimes kept travelling for a year or more.

It is clear what advantage the rich has over the poor, by bribery or endurance. As for false witnesses it varies in different provinces; in some scarcely known, in others proverbial. If the defendant can expose any flaw in his antagonist's argument or evidence, even if accidental, he triumphs at once. An Abyssinian suit is much more a trial of wordy skill than an elucidation of the truth, and the reason is obvious, from the system of "Daignanet" judgment in all tribunals save the highest. This is the sum paid by the losing party to the judge, whether military or civil, and large according to the importance of the case. This is occasionally a safeguard to the poor, inasmuch as it is the interest of the judge to decide against the one that can afford to pay, when other reasons, such as fear or bribery, do not outweigh this. The sum is arbitrary; and the only check upon their rapacity is the fear that if too exacting, the country people will cease to dispute, or will decide all cases before elders or friends. Moreover the Judge has certain perquisites, varying as usual in each province; on each slip of the tongue, on each oath that is taken on the Gospel, nay, even should excitement cause a movement of the hand or a change of position during the pleadings; besides this, his retainers gain by messages, by bribery, and many other ways: it is therefore obviously his interest that each case should endure as long as possible, even if he be disposed to give a just decision in the end.

There being no police, it may seem curious how any offender is brought to justice, but in ordinary cases this is easy, although a daring and decided criminal has generally little difficulty in escaping. In a strong case, as that of public manslaughter, the bystanders will seize the homicide, not to give a pretext to the chief for levying heavy fines on the village or district, and deliver him over to the authorities, and so on with other serious and criminal cases. In small affairs, such as a sudden dispute on the high road, the meeting of an absconded debtor, or any civil matter, the first decent person to be found is obliged to act as a temporary judge, if adjured by the "death of the chief" paramount. He must then place the accused in bonds, which is done by tying his cloth to that of his accuser, and escort or send them to the nearest magistrate, who, should the accused demand it, must in like manner forward him to his immediate master or chief, where the case is first heard, the plaintiff having right of appeal; the law in this being however highly favourable to the defendant, the plaintiff not being always disposed for a long journey.

Their code of laws is a bad translation from the code of Justinian; three parts of it being occupied with church affairs and regulations. and a small portion only with the civil and criminal law, this latter being also much mixed up with the institutions of the Pentateuch. Bad as it is there are probably not twenty persons

in the country that are conversant with it; and some singular judgments are given on its authority, much after the fashion of the "Sortes Virgilianæ." Though it is consulted with much ceremony, and considered a sacred volume, law is in fact simplified to the will of the chief. Still the fact of there being a written law has assisted in retarding the degradation of the people.

Usury is permitted according to the agreement of the parties, but is checked in practice, and has no ill results from the merciful nature of the law for debt. It is generally ruled that a debtor shall pay small sums according to his means, and he cannot be kept in durance when he has nothing. Affairs of this kind, however, are generally on so small a scale that they are settled by arbitration.

The institution of elders that I have alluded to is not perhaps conducive to discipline, but in the existing uncertainty of the law is well worthy of notice, and agreeable to witness. The decision of these elders cannot be reversed by any judge as both parties solemnly agree that it shall be final; it costs them nothing, and such arbitration is seldom refused, even by the most testy, urged as it generally is in the most good-tempered manner. Their mediation can be employed in every case where blood has not been drawn. Should any of these men be by on the commencement of a dispute, they separate the angry, and after patient investigation give their opinion, and decide the amount of compensation. The decision is usually considered sufficient, and it is a point of honour for the triumphant party not to receive the fine awarded. The conclusion is that the disputants should demand pardon of each other, and accord a mutual forgiveness, which is generally cordial and hearty. This system would scarcely succeed amidst the complicated interests of civilized society, or with the enduring energy of European passions, but it is to me a redeeming trait in the Abyssinian character. It prevents crime and tumult more than their military law; it carries out the precepts of the Gospel; and I cannot believe that the nation practising it merits no better name than savage. Wife and husband, father and son, brother and brother are either reconciled in this way, or if that be found impossible, separated with amenity; and the custom being bowed to by the highest equally with the lowest, the asperities caused by the inefficiency of the law are much softened. These peacemakers are not appointed by any Government but by common consent: the influential and wealthy inhabitant, the good tempered, the most moral, and particularly the aged, take the office on themselves. This custom, though universally accepted by the Abyssinians, Christian and Mahomedan, is of more weight in the Amhara country than in Teegray, owing to the greater good temper and good sense of the former people.

The office of a judge is rather to settle and profit by disputes brought before him than to punish offences against the law. In case of murder, for instance, unless the victim has some relative, who acting as accuser, seizes the homicide himself, proves the crime, and is ready to slay him with his own hand, the culprit will be untouched; justice furnishing neither accuser nor executioner. The said relative may also compound the matter for money at his pleasure, the judge receiving a similar sum. Add to this the numerous means of escape by joining the first band of robbers, or any rebel chief, or taking sanctuary in the nearest church, and the insecurity to life is easily accounted for.

In the absence of police, should you seize a robber with your own hand, and in so doing inflict on him a fatal injury, however flagrant may have been his guilt, the relatives of the man, everywhere save in Godjam, will demand from justice the right to put you to death in cold blood, so rigidly is the Mosaic law of "blood for blood" interpreted, save when the rare good sense of some chief induces him to interpose an arbitrary veto.

Insufficient and embarrassing as are the Abyssinian laws, it would be well if even these were always observed. No sooner has a chief turned his back on a distant expedition, than the whole population seizes the occasion for settling private grudges, whilst those who have no particular quarrel amuse themselves by indiscriminate robbery, or by making incursions against weaker barbarians by a republican levy. These disorders may cease on the return of the chief, but inquiry is seldom made, or punishment inflicted. Even in times of comparative tranquillity travellers are obliged to be well armed to insure their safety; and in periods of disturbance the roads are in a state of blockade, save to large parties of armed merchants.

Strangers of any nation or creed, are freely permitted to settle in Abyssinia, and to purchase land or houses. They have the same rights as other inhabitants, being also subject to the same liabilities. The Abyssinians in general and the

chiefs are more jealous of those who pass through their country than of those who remain in it; but if Europeans were to settle in any numbers it is probable that fear would induce suspicion. It is this theoretical equality of all foreigners in the eye of the law, as well as of Abyssinians of all grades with each other, that renders it difficult for the mass to understand the immunities of a Consul or other officer; though the chiefs comprehend it when they choose to lay aside their affectation of superiority. In most cases there is nothing that delights the Abyssinian more than to assert his equality with the white stranger, and to bring him before a court of justice; the latter being, however, sure of a lenient, often of a most favourable, construction.

The great chiefs inflict the punishment of death, but rarely, except in cases of repeated opposition or rebellion. More frequently the hands and feet are lopped off, or eyes, tongues, or ears mutilated. Dangerous political opponents are chained often for life in a mountain fort; but chains are in no case considered as a punishment, but merely as used for security. The most frequent penalty used indiscriminately towards all ranks and classes of the community is flogging; this is performed with the ox-whip, and is very severe, but no disgrace is attached to its infliction.

The wasteful government of a military oligarchy, the incessant struggles for mastery, and uncertain tenure of all power, the careless sensuality of the chiefs, the wretched administration of the law, the utter decay of learning, and the selfish corruption of the priesthood, have ruined a nation that has suffered little from national convulsions or foreign conquest. Individuals are found who feel that their nationality is lost, that internal feuds are fast dissolving them into petty tribes as savage as their neighbours, and that their chiefs still claiming the high sounding title of kings, are no better than powerful robbers. But it is to be feared that this decay cannot be checked by any efforts of their own, and that the boast of the Mahomedan, who points at the few remaining Christian provinces for his, will be verified.

Dejaj Oobeay, governing Teegray and all the provinces to the north of Gondar, in independent state, save a yearly tribute to the Ras Ali, and the latter being, apparently, lord paramount of Abyssinia, having blockaded his last enemy in a mountain stronghold in the south of Godjam during five years, and reduced him to extremity, matters appeared to have some chance of a pacific settlement under one ruler, when an unforeseen and sudden storm destroyed these hopes, and plunged the land once more into a confusion as great as had followed the dethronement of the Royal Dynasty.

A chief named Kasai, having great family influence in the provinces bordering on Sennaar, forced his way by the sword into some notoriety, and married the daughter of the Ras Ali. Of a proud and impatient spirit, after alternate rebellion and submission, and having defeated in numerous battles all the troops that were sent against him, he at last threw off all mask, and openly defied the Ras Ali and his adherents. Having in some measure disciplined his troops, for the first time in this country, by the assistance of a few Turkish soldiers, he suddenly appeared, after extraordinary forced marches, in the neighbourhood of the Ras' blockading camp, and fairly challenged him to the combat on the plains of Godjam, favourable as they are for cavalry, the Ras's pride.

A pitched battle took place, in which the Ras was completely defeated, and barely escaped, hotly pursued by his adversary. In a second battle he was entirely driven from the territories conquered by Gooksa, and forced to take refuge in his natal province of Edjo. Dejaj Oobeay, in the north, had not even gained time to collect his troops when Kasai threatened him with his whole force, and obliged him to fly to his hill-fort in great fear. The victory, however, obtained by Kasai over the Ras had set free the daring chieftain Birro, son of Gosho, from his mountain; and the latter, to add to the complication, enemy as he was of the Ras, had a still more deadly feud with Kasai, on account of his father's death, slain in battle by the latter.

Kasai, therefore, patched up a temporary peace with Oobeay, and hurried to meet this formidable rival; since when all parties have feared to enter into decisive conflict. A chief of the Teegray Dynasty, Balgud Areya, had taken advantage of the confusion to raise the standard of revolt against Oobeay, but the return of this latter has, for the present, repressed any serious disturbances. Affairs now stand in a singular position: the Ras Ali has returned to Devra Tabor, but without any power beyond the range of his foragers. Dejaj Kasai and Dejaj Birro threaten

each other in Godjam, with large armies, not having yet dared the encounter; and Dejaj Oobeay has reoccupied Teegray, after having seen by how feeble a grasp he holds his power. Numerous other chiefs have all their faculties on the alert to seize any chance that may offer; and it is difficult to say in whose hands the reins of power may finally remain. In the meantime it is certain that the roads are unsafe, commerce checked, justice paralyzed, and diplomatic relations impossible; and it would be idle to hope that the anarchy consequent on these events will soon cease.

Some notice of the character of the four principal competitors in the present struggle may be useful hereafter.

Ras Ali is a humane man, very vain, too indulgent, but intelligent, agreeable in his manners, brave, averse to change, and of a very whimsical character, affecting, and, I believe, feeling great indifference to most things, including his own power. He is very difficult to lead, as he has no prominent passion to work upon, and will admire no idea that does not appear, at least, to emanate from himself. He does not care for flattery, is not ambitious, has no pride, is indifferent to reputation, and can by no means be excited to anger. Good-natured selfishness is his principal characteristic.

Dejaj Oobeay is acute, inflated with pride, far-seeing, and ambitious; disagreeable and overbearing in manner, but straightforward and decided in business. He is cowardly in person, but morally brave, very observing, grave; cruel when he deems it necessary, but not wantonly, and liberal. He is much more feared than the Ras; but being proud and susceptible, is far more easy to deal with, some caution being, however, necessary, as, when roused, he is capable of any extremities.

Dejaj Birro, of Godjam, is the most remarkable, perhaps, of these chiefs; as proud as Lucifer, of surprising talent and penetration, daring, patient, resolute; he has a wonderful command over men's minds for love or fear; he is cruel, reserved in public matters, yet personally gay, noble in appearance, profusely generous, and fond of splendour. His untaught intellect may vie with a high European standard; and had his lot been cast in Teegray, where he might have had communication with us, he would, perhaps, have been the regenerator of his country. With but a small province he has preserved his independence; but there his efforts must end, and all his abilities be consumed in ceaseless wars and harassing intrigues, both the delight of his fertile and brilliant mind. His father, Gosho, who lately fell in battle, had well earned the title of "Father of the white men," by his conduct towards the few that enjoyed his society, or were obliged to his unbounded kindness.

Dejaj Kasai is vigorous and subtle, daring to a fault, and, perhaps, more disposed to innovation than any. He has abolished in his army the practice of mutilating dead bodies; taught his soldiers some discipline, makes war without baggage or camp-followers, and encourages foreigners. Though proud, his manner is all humility; he is severe, liberal, and usually just, but breaks out now and then into unaccountable acts of violence, which indicate a somewhat unsettled temperament; he commences enterprises with more vigour than he pursues them, and is much under the influence of prophets and fortune-tellers.

Should any one of these four chiefs attain supreme power, I do not think that he will have the courage to attempt that radical change in their feudal system which must precede all reform, all hopes of order, or of useful foreign alliance. Upon the whole, Dejaj Kasai would be, I think, the most desirable.

The Slave Trade is carried on by the Mahomedans alone. Christians buy for domestic purposes, but are not permitted to sell, and the penalty of death by hanging is affixed to the act of selling a Christian child. Slaves, so-called in Abyssinia, are of two races, Gallas and Shankallas. In Egypt and Turkey the Abyssinians themselves are ranked in the same category. The Gallas are the most valued,—the boys for their intelligence, and the girls for their beauty. The Gallas are sold by their despotic Kings in the territories of Enarea and Djimma; but amongst the Republican Gallas no trade is carried on, save when poverty accepts the gold of the merchant; and even this is unheard of amongst the proud Gallas of Azobo, though so near to Massowah. Female prisoners taken in their constant raids are also sold, the male being never spared on those occasions. The Shankallas are all taken by predatory expeditions; and on such occasions the soldiers are sometimes, though rarely, permitted by an Abyssinian chief to sell their booty.

The Gallas seem to adopt the religion of Islam with a fierce avidity, and look

back to their own country with an affected contempt, too proud to acknowledge their love for the beautiful land they may no more hope to see. It is singular to see how readily they agree with those who have torn them from their homes, and how they hate the Christian who has never harmed them.

The Shankallas are generally indifferent as to their creed, and very susceptible of kind treatment. They look back with longing to their own land, and often women, as well as men, effect the most hazardous escapes. They seldom become fanatical in the new faith imposed on them. All slaves that are brought to the Red Sea are usually well treated on the road, and the only cruelty practised is when a brutal master, for love of gain, prepares some unfortunate boys to guard the Turkish seraglios, tripling their market value. Those who follow the course of the White Nile, or by Gondar to Khartoum, through countries where water is scarce, undergo great hardships, and perish in numbers. The Gallas being purchased for a few beads in the interior, this traffic is very lucrative.

The Abyssinians are very sensitive to the suspicion of being born of, or descended from what they are pleased to call a slave, having a shrewd idea of the absurdity of such an appellation from themselves; and since the conquest of Begemder by Ras Gooksa, the Gallas of Edjo and Worrahaimano have been counted as citizens; these, moreover, having fully adopted the Mahomedan faith, and performing duly their pilgrimage to Mecca, are excepted by the dealers.

These latter, however, never omit an opportunity of stealing infants of any creed; and near the coast a regular trade is in this manner carried on by means of the Shihos, who declare that it is lawful for them thus to supply the market, the custom having been bequeathed to them by their fathers.

A firman by the Sultan Abd-el-Medjid was lately publicly read in Massowah, for form's sake, whereby the sale or reception of stolen Christian children was prohibited; as a matter of course, the Consuls were not informed of this, and equally of course, no steps being taken to enforce the order, it was disobeyed the same day, and totally forgotten in three.

The most important of the other races that occupy this portion of Africa is the Galla. These Gallas have, at different periods, for some hundred years past, seized upon the most fertile provinces of the ancient Empire of Abyssinia, and have spread themselves from the Red Sea and the Blue Nile to the equator. They are divided into numerous tribes, having the one common characteristic of being undaunted horsemen. So strong is this propensity, that the tribe of Azobo Gallas, who occupy a territory between Teegray and the Red Sea, purchase horses from the colder provinces of Worrahaimano and Wallo, and mount 10,000 horse, in a district unfavourable to the existence of the animal, and where it is never bred.

Could these tribes 50 or 60 in number, unite, nothing could withstand their numbers and impetuosity, and they would trample under foot, like a Scythian host, all the land as far as Khartoom; but, occupied as they are by intestine wars, there is little probability of such a torrent, unless a Chief should arise amongst them like Mohamed Gryne, that famous warrior, who led the armies of Adaiel, renowned for strength and swiftness of foot, even to the vicinity of Gondar; and would 350 years since, have extinguished the Abyssinian name and faith, but for the timely succour of Portuguese skill and valour.

The southernmost provinces of the Galla, Enarea, Djimma, Goma, and others, are governed despotically by their several chiefs, and supply, by arbitrary coercion, slaves for the Turkish market. The Tribes bordering on Abyssinia are nearly all Republics of the purest description, and do not engage in that Traffic. South of those Gallas are Kingdoms of Djindjero, Kaffa, and Worata, each having a different language. The people of Djindjero are uncouth in feature, and rude in manners. This province was probably the boundary of the Portugese trade from Melinda; and the report is prevalent amongst the Gallas that cannibalism is still practised in those parts, as it certainly is by their neighbours on the confines of Zanzibar. They are said to be very numerous and brave; they have something of the Malay feature; they are Pagans, but little is known of their habits or ceremonies.

Kaffa is a wealthy and fertile kingdom; the inhabitants are proud and handsome; the women often fair and very beautiful—even in slavery they are remarkable for independence and hauteur. They still retain a recollection and traces of the Christian faith, and still venerate the ruins of their churches. The Galla with whom they are incessantly at war call them, in derision, "Sydama,"

originally signifying Christian; and it appears that, being a numerous and warlike tribe, when abandoned by the receding limits of Abyssinian dominion, they must have been strong enough to repel the tide of Galla invasion. It is said, moreover, that they ardently desire priests and instruction in their ancient faith—forgotten, save by name. It is to this point that a special mission of the Church of Rome is now directed; and they hope, with some reason, to establish a hierarchy in that distant land. So little intelligence can be obtained of any tribes to the southward of these, that I am tempted to believe that towards the Equator there must be large tracts of uninhabited mountains and impenetrable forests.

The province of Worata is south-west from Enarea, and extends, I believe, to the White Nile, about the point where the expeditions of Mohamed Ali stopped, and where there is a large mart for traders from Sennaar. This route is, however, practicable only for the Arabs of Sennaar, who are fever-proof, and are received as brethren by the fierce nations that line the banks of the great river.

The despots of Enarea, &c., govern their tribes with absolute sway; life and death are in their will; and when in want of money they cut off the heads of some of their poorer subjects, and sell the whole family into slavery. The King of Enarea monopolizes the breed of the civet-cat, possessing about 3,000, and is thus very wealthy. Feasting, hunting, and war are the occupations of the King and his nobles; while the rich crops, produced with little labour, and the abundance of pasture, combine to cheapen all the necessaries and some of the luxuries of life, and diffuse an air of general prosperity throughout the country.

The Gallas of a district named Follo pay a heavy tax to the King of Djimma, for permission to purchase boys, and prepare them as eunuchs for the Turkish harems; the Gallas in general looking on this practice with disgust, and being seldom guilty of it, though very lucrative.

It is in the immense forests on the banks of the Deedaysa—a larger tributary of the White Nile than even the Abbai—that the finest ivory is found. Herds of buffaloes abound; and there the black panther, the fiercest and most beautiful of animals, is slain for his skin, highly prized, even where most abundant.

Amongst the Republican Gallas, taxes are unknown; and each man is lord of his hut and the plot of ground before it, inherited from his ancestors; he acknowledges no law; owes no military service; and in a general assembly, held in the open air, each one, with his horse's bridle on his arm, and scouts watching for the enemy, may freely offer his opinion. Fighting is his delight and daily occupation; and scenes recounted of the Trojan war may be seen daily enacted, apart the luxuries of gold and chariots, amongst a race not deficient in chivalric courage. Every man who can afford to buy a horse is a warrior; and each warrior armed, sallies forth daily to protect his crops or his castle. When the cry resounds that the enemy is in sight, those who have lingered at home fling themselves into the saddle, and gallop to the contest, with more or less speed, according to their love of honour or their fear of death.

The Gallas are noble in appearance, more grave and thoughtful than the Abyssinian, eloquent, strong, and generally handsome; with the pride of a nation of warriors, but very courteous and amenable to reason. Their women are not concealed, and mix freely in society; they are often beautiful—almost always graceful; liberal of their smiles and favours to the brave, and scorning the coward. I have heard that those tribes to the southward are more chaste than these Republicans, but I much doubt if they anywhere attach a particular value to the exercise of that virtue. Each Galla takes as many wives as he can afford to keep. Their features when unmixed with other races, are European. They have no religion, but, without being conscious of it, retains some forms of Christianity, as fasting once in the year, observing the feast of the Cross and other. They perform also some rude pagan rites, and have a superstitious veneration for certain large trees, to which they sacrifice animals. One word serves for God and sky; and while they believe that a Supreme Being created them and the world, and orders everything according to his will, they have not the least idea of the immortality of the soul, nor any credence of a future state. In the monarchical provinces the faith of Mahomed has made much progress, and the Roman Catholics are making a vigorous effort to plant the religion of Christ amongst those other Gallas who are on their road to Kaffa. As these races have, as yet, no priesthood to blind them, and no strong prejudices to render them deaf, the chances of success are considerable.

Smiling as is the climate and fertile the soil of Christian Abyssinia, nature has

been still more bountiful to the Gallas. Green meadows, rich cultivation, troops of horses and brood mares, lofty trees at intervals with magnificent spreading foliage, gentle undulations of hill and dale, a serene air unpolluted save in Enarea by large towns, cleanly and picturesque huts studding the whole landscape, and a salubrity proved by the aspect of both sexes—such are some of the features of these charming lands; and many a scene of pastoral beauty, of bright streams and lowing herds, is daily defaced by the trampling hoofs of charging horse, and the bloodshed of combats where no quarter is given, and no result obtained.

The southern bank of the immense valley of the Nile is in the hands of the Gallas, and divided throughout its length into many districts; the difficult passes and steep precipices present an inverse resemblance to a strong mountain country. The inhabitants are usually at peace with the Abyssinian lowlanders immediately opposite, and at feud with all others. The Christianity and paganism of the two races are becoming gradually blended; their languages are spoken indifferently; markets are weekly frequented on either side of the river; intermarriage is common, and these relatives and neighbours alternately hold revelry and meet in mortal fight. Through the bottom of this valley (an isolated kingdom) the Abbai forces a tumultuous passage, receiving many tributaries from either side, till it swells with its flood the White Nile at Khartoom. The bed of the river is from 2,000 to 3,000 feet below the level of Godjam; the soil is singularly productive, though the ravages of fever balance the advantage.

All the Gallas speak the same langurge with slight variations; it is unwritten, and bears no resemblance to Ethiopic, Amharic, or any tongue with which I am acquainted; it is soft and pleasing in sound, but limited.

Following the course of the Abbai northwards from the Enarea caravan road, which passes through the province of Gooderoo opposite to Basso on the Abyssinian side, are the Provinces of Horro, Amoro, and Shinna.

The Amoro Gallas are the most distinguished of all this race for courage, stature, ferocity, and hatred of the Christian name. The commerce with this district is carried on entirely by Mahometans; though nearly all the principal families of Damot and Agowmiddur (where is the source of the Blue Nile discovered by Bruce), acknowledge their origin from this tribe, and are now under Christian rule.

The Shinna Gallas do not come in contact with the Abyssinians, the Abbai taking there a westerly slope; a large extent of plain intervenes, occupied by negro races called Shankalla, and the Galla tribes cease in that direction. Further along the course of the Blue Nile, mingled with these Shankalla are found the Shageyas, who submitted, after many a bloody struggle, to the discipline of the Egyptian armies; and the unconquered Shiloks, who still defy them, and who, if description be true, must be one of the handsomest and finest of African races. I may notice here that there is a rumour amongst the Gallas and others that a white race exists somewhere in the interior; I do not think it at all unlikely that the report has some foundation.

Passing from Gooderoo eastward, and then northward along the banks of the Abbai, the Provinces of Koottai, Jarso, and some others, are still republicans; and the horsemen of Jarso, calculated at 20,000, have set at defiance every effort of the Abyssinian rulers to impose even a slight tribute. The King of Shoa is, however, making large strides in that direction from the eastward, and is much feared by the Gallas in general. On the eastern boundary of Godjam, the Abbai still dividing them, is the vast territory of the Borona Gallas; their Chief, Ali Wedajoo, has established nearly a despotic authority, and with his numerous cavalry keeps at bay the King of Shoa, and meets on equal terms the armies of Northern Abyssinia. The Boronas are pagans, and call themselves Christians, though in what their faith consists it would be difficult to say. Their northern frontier is occupied by the most formidable of the Galla races, the Wallo. Here brown heaths and chilling fogs mark an elevation of 12,000 to 13,000 feet above the the sea-level, and the hardy mountaineers, who have engrafted the faith of Islam and the fanaticism of its followers on their native ferocity, wages pitiless war with the King of Shoa and the Borona Gallas, the Abyssinians of the province of Amhara, and the Gallas of Worrahaimano and Worrakallo, their northern boundary. They have placed themselves under five or six chiefs, distinguished for valour or sagacity, and in case of a formidable invasion sometimes unite their forces.

In general, however, they are always fighting with each other; or, as one told me, it is their daily meal. There is still much freedom in their institutions, and their

chiefs dare not attempt any arbitrary act. Here, as amongst the Arabs, are found men who have sworn never to fly, and who often suffer a cruel death at the hands of the Shoa Christians, as merciless as they are cowardly, when taken on the field. Though blood-thirsty, they are honest and hospitable in the extreme, but should never be tempted by the sight of fire-arms, for which they have an uncontrollable desire.

The Gallas of Worrahaimano, Worrakallo, and Edjo are all Mahomedans, though some Abyssinian Christians still retain their lands here, as in the monastery in an island of the Lake Haik, in the province of Tehuladerree. The present Ras of Begemder having sprung from these tribes, they have become in a measure incorporated with the Abyssinians, and all speak the Amharic language. Their singular tournaments I have elsewhere mentioned. North-east of these follow the Areya Gallas; and northernmost of all the Gallas of Azobo, betwixt the provinces of Inderta and Wojjerat, in Teegray, and the Red Sea, from which tribe they are only divided by the tribe called Danakil. These Gallas are constantly at feud with the inhabitants of Teegray, whose chiefs have in vain attempted to subdue them. They are republican, and have a similar character to all the others, though almost isolated. They have not yet become Mahomedan.

From the Shinna Gallas, west of Damot, to the Gallas of Azobo, east of Teegray, this race sweeps round Abyssinia in an unbroken semicircle, dividing it from its cognate Kingdom of Shoa, and waging with its inhabitants at all points continual war. Had it not been for the introduction of fire-arms by the Portuguese, the whole country would long since have been overrun by them, and as they are now beginning to appreciate and adopt those weapons, it is not improbable that they will soon succeed in overwhelming the Abyssinians—a conquest necessarily followed by the introduction of the Mahomedan faith. The Chiefs of Worrahaimano were at one time in correspondence with Mahomed Ali to this end, and now repeat the assurances of the Governor of Massowah, that troops will soon be sent by his master the Sultan, to take possession of Abyssinia, his lawful inheritance.

I have stated that a line of country some seventy miles in breadth or more, separates Christian Abyssinia from the Red Sea, being occupied by more barbarous tribes, and reaching from the Gallas of Azobo to the dominions of Abbas Pasha, north-westerly from Massowah.

The northerly neighbours of the Azobo are the Taltals, lying east of the district of Agamee in Teegray. They are nomades, as all that I have now to describe, and call themselves Mahometans, though their creed is far from orthodox, and I do not suppose that there is one that can read the Koran. It is certain that by their unceasing feud with the Abyssinians, they have acquired a strong hatred of Christians. They eat little or no corn, and never sow; living on milk and the flesh of goats and oxen. These are generally thriving, as they have the benefit of two rainy seasons, and luxuriant pasturage nearly all the year round. The rains of Abyssinia extend to within fifty or sixty miles of the sea in the months of June to September, and the rains of the coast are variable till the end of March from October or November. They are unacquainted with horses, and are remarkable for bodily vigour and speed of foot. In this province are the plains of salt and sulphur that supply all Abyssinia: the road from thence to the sea is nearly a level plain, and the direct port is Amphylla. This was the road that Mr. Salt proposed to open. It was traversed at great risk by an Englishman, Mr. Coffin, who still lives in Abyssinia, and by him alone. The English Government had, I believe, consented, when the death of the Ras Welda Selasee, and subsequently that of Mr. Salt, prevented the further progress of the affair, which was afterwards lost sight of. Mr. Coffin performed this journey, I believe, forty-five years ago.

The Taltals are now treacherous and blood-thirsty, even towards each other; to strangers implacable and dangerous. They are hospitable from pride and custom: but a hospitable reception by no means insures the life of the guest; and when a Taltal enters the hut of his relative, he lays his sabre across his knee, and places his spear and shield ready for his grasp. I attribute something of this fierce character to the heating nature of their diet; and it may be generally observed amongst the tribes who eat no bread. They are impatient of all yoke, and live independent of all law, with here and there a man possessing, like the ancient patriarchs, some influence from age and wealth in flocks and cattle, or in youth from sagacity and daring.

These people scarcely know the value of money, and the Turkish Government

at Massowah of course makes no attempt to encourage any communication. They are therefore totally ignorant of the world without, save the nearest districts of Abyssinia, but under better management would no doubt crowd to the market of Massowah, which is now often unfurnished with the necessaries of life; and their province would soon be as safe to visit as any other part of the country. Their sulphur should form a valuable article for trade, and their territory might be highly cultivated, and would afford much produce for export, besides bread for the inhabitants.

Many years since a small body of Turkish troops were defeated and destroyed to a man by the Taltals of Kherto; having ventured to advance inland from the port of Amphylla. The attempt has never been renewed, and they have no garrison at that place.

The Danakil, who extend along the sea coast for a hundred miles or more, speak a dialect of the Taltal language, and have much the same character, being only poorer, less vigorous, and less courageous than their neighbours of the mountain. Not many years since both these tribes purchased stolen Christian boys, and sacrificed them in some superstitious rite. And although one of their Chiefs assured me that this practice was discontinued, I doubt him much.

Camels are bred in great numbers here, and the cattle and sheep of the Danakil are also numerous and in good condition, but never appear at the Massowah market, though within six hours' sail of a dull craft. Ostriches abound, but are little hunted, fire-arms being totally unknown. Elephants are plentiful, but are only killed by a few Abyssinian hunters, and in small numbers. The wild asses are numerous on the coast, and the zebra is said to exist in the interior, as well as the rhinoceros. The wild ass is sometimes taken in pits, his flesh being highly prized by the Arabs of Yemen as medicinal food.

The salt lake of Boorree, near the coast, formed of a filtered deposit at a lower level than the sea, furnishes that article for consumption to the Shihos, and some provinces of Teegray, but it is not used as a circulating medium.

To the northward of the Taltals is the powerful tribe of Shiho, now divided into two branches, called Assaworta and Torā. Through their territories pass all the roads now in use from Abyssinia to Massowah. Their language is said to bear a close affinity to that of the Adeial, and there are in it many words of Galla origin. Partly through fear of their Abyssinian neighbours, and partly from their love of gain, acquired by being on the direct road for commerce, they suffer merchants or travellers to pass in safety, furnishing guides for a payment proportioned to the wealth of the caravan. The road for fifty miles is in their undisputed possession, and includes lofty mountains and narrow defiles, that only require fire-arms to render them formidable; but though these Shihos are constantly at Massowah, and see the Abyssinian merchants purchase those matchlocks whose force they have often felt, but one instance is, I think, known of one of this tribe possessing a musket.

The mortal fear of innovation afflicts them like all of Abyssinian race, so they invest their money in cows, living miserably that many of these may be slaughtered at their death, and devoured by a weeping assembly upon their tombs. They are scrupulous Mussulmans, not even touching any intoxicating liquor. In keeping faith they are more scrupulous than the Taltals, and a guide who requires and gives the oath of good companionship may be perfectly relied on. Though thieves by profession elsewhere, they seldom steal in their own district; but they are very pestilent beggars, their begging not being confined to those in distress, but practised by the whole tribe, the most wealthy being the most pertinacious, saying it is a right they have inherited from their fathers. They are annoying, but not dangerous, except if any one attempts to pass through their country without a guide, when he will be lucky if he escapes with the loss of his property.

The name of merchant is a scandalous reproach amongst them, and till very lately, agriculturist also. For the last few years they have been attempting to cultivate barley with success; a wonderful step, still limited to a few individuals. They always eat bread when they can obtain it, exchanging the salt of Boorree for the maize of Kalagoozai; with which Province of Teegray they are usually on very good terms. This is a matter of mutual interest, as the cattle of the two districts thus enjoy the benefit of the double rainy season. They are constantly at war with the Taltals with various success. They also live in a republican fashion, with certain elders elected by themselves to settle disputes, and as the pay of the guides goes into a common purse, these elders receive a large portion. Owing to the

influence that riches must always secure, these elections generally fall on the same families, and the office has thus become almost hereditary; but they are obliged to be very careful in exerting their power, and the rest of the tribe lose no occasion of wordily asserting their equality, nor allow any interference in their private affairs.

The Shihos are kidnappers by profession, and avow it openly. Hundreds of Christian children are stolen by them every year; when they can, they sell them secretly at Massowah, if not, they are disposed of at Zeyla, from whence they are sent to Amphylla, and smuggled across to Yemen, if not purchased by the Taltals. Sometimes they are kept until they forget their origin and religion, or become too resigned to demand any change, and are then sold at Massowah as Gallas. These tribes still have a respect for the Naibs of Arkeeko, who kept them in some order till their own power was destroyed by the Turks, who have substituted nothing in its place. Zeyla is a large village about three hours' journey inland from the ancient sea-port of Adoolis, a city probably founded by one of the Ptolemies, opposite the Island of Dissee, purchased by Lord Valentia. The ruins of Adoolis are visible. The proper pronunciation of Zeyla may be written thus in German, "Zühla." Its inhabitants pay a small sum occasionally to the Turks, perhaps a hundred dollars, when threatened, and are then left to smuggle and govern themselves as they please. The Shihos have no camels, and are not so rich as the Taltals, being also less fierce and intractable.

On the plains betwixt the Shihos and the sea are the Bedouins; their name is somewhat used as a term of contempt, as though one should say the "wanderers" or "miserables." These tribes, though unwarlike, are numerous; but as all their many enemies are superior to them in force, and as they have no strongholds for retreat in their level country, resignation or flight are their first and last resource under all difficulties. These, like the flying-fish, are preyed on by all. Paying a small revenue to the Turkish Pasha, who, after extorting what he can from their poverty, does not pretend to protect them, plundered or slain by the Abyssinian Chiefs whenever leisure or the prospect of booty invites them, and frequently beholding their flocks and herds harried by the Shihos, or the peasants of Hamazayn, they have little repose and no profit. Their days are few and evil, being passed in poverty, degradation, and toil; and when old they are sent by their younger relatives to guard the goats or camels, until death finds them at the task. To these evils they oppose a patient stupidity worthy of their own camels, and the fatalism of their creed; they have moreover by nature so gay a temperament, that dance and song are for ever resounding through their villages. They are not ashamed to work, and are far more useful than all their conceited neighbours.

This race is the only one in these parts willing to submit to any government, and demanding only protection and tranquillity; acknowledging at once Turk, Naib, or Abyssinian, king or kaiser, as they may offer; they not unfrequently add a sigh in wishing for the mild equity of the English, having, in spite of Turkish jealousy, heard fabulous tales of the splendour of Aden under our rule.

With the exception of some villages on the coast that serve as a rendezvous for the small traders who supply the Island of Massowah with provisions, and whose inhabitants supply by their camels, wood, grass, and other necessaries, they are in general a wandering race, camping wherever pasturage is to be found, and stretching as far as Hamazayn when permitted. The constant exactions of the Turks, if they have impoverished, have at least rendered them mild; and I scarcely think that, had they as much courage and independence as the adjacent tribes, they would be much better; as it is, they are inoffensive and invaluable as a labouring class.

The language of the Bedouins, as of the natives of Massowah, is a corruption from the ancient Geez, with a large infusion of Arabic. Infanticide is common among them, and spoken of with indifference. The Turkish Pasha of course does not interfere, as his revenues are not affected. The practice is confined, I believe, to their illegitimate children.

Passing on to the northward from the Shihos and Bedouins, we arrive at the last relics of the ancient sway of Abyssinia; shattered and separated from that realm and from each other, the tribes of Memsa, Senhāit, Hallal, Māira (a corruption from Mary or Mariam), the Hābāb and their subdivisions. All these tribes ar shepherds within their own limits, eat not bread, do not cultivate the ground except in Senhāit, are all robbers beyond their own district, and of course are constantly at war with each other.

They are far more wealthy than the Bedouins, possessing numerous camels, herds, and flocks that whiten all the ground. The soil, generally adapted for the richest produce, is left barren from the insecure tenure of all property, and the fact that Senhāit is almost yearly plundered from the attraction of its harvests, is not calculated to stimulate the rest to husbandry. These tribes not having felt directly the pressure or blessing of a Mahomedan government, and being abandoned and regarded as savages, fit only to be despoiled by their brethren in Abyssinia, their religion partakes of the indefinite character of their position; their language is, however, perhaps the purest dialect of the Geez now spoken, not excepting Teegray. They call themselves almost indifferently Christians or Mahomedans, have no scruples regarding their butcher, do not fast with either party, and a Christian may be found bearing the name of Ali, a reputed Mussulman that of George or Paul. A half-ruined church still appears here and there, seeming singularly out of place, but no priest capable of reading or who knows anything of the faith he professes. In some districts, as Māira, the Koran having slightly the ascendant, Sheiks, and Fokeras predominate, and doubtless the latter will win the day, as the Abyssinian armies regularly ravage and slay their weaker brethren, who are consequently beginning to hate the name of Christianity, which they only see accompanied by fire and sword.

Of all these tribes the three families of Hābāb are the most powerful and warlike; their territory extends all along the coast, from the confines of the Bedouins, about eighty or ninety miles north of Massowah, to Aggeek, which is the boundary between the Sultan and the Pasha of Egypt. The breadth of this province, from the coast to the river Ansubba, is about sixty to eighty miles, and embraces a great variety of climate and elevation. The tribes of Hallal and Māira occupy a bold range of mountains that stretches out to the northward like a spur from Hamazayn between the deep valleys of Ansubba and Barka. Memsa, Biddayl, and other small districts are nearer to Abyssinia, and are remorselessly plundered by all parties.

The province of Billayn, on the western bank of the Ansubba, comprises the districts of Mogos, Senhāit, Mugari, Beejook, Halhal, and others; its inhabitants speak the language of the Agows of Lasta; but no tradition is preserved respecting the period or the manner of their separation from the present tribe.

This province may be considered as the frontier of Modern Abyssinia in this direction; but the race of the Beni Ameer, that occupies all the low countries and the whole length of the torrent Barka, is also undeniably of Teegray origin, though called Arab by the Egyptian Governors of Taka.

The Beni Ameers do not know a word of Arabic, but speak a dialect of the Geez. Having no mountains to retire to, and being thus exposed to all attacks, they have adopted the Mussulman creed, and now pay tribute to Egypt. They still, however, think themselves entitled to the privilege of private war, and make expeditions against the Christians of Billayn.

Halhal, the northernmost district of Billayn, has been on several occasions ravaged by the Egyptian troops, the villages destroyed, and the women and children sold into slavery; unassisted by their natural ruler, the Chief of Teegray, and having no refuge, it is now five years since they declared themselves Mahomedans. The divisions of Mogos, Senhāit, Beejook, and all the others nearer Hamazayn, still hold out after having been twice plundered; the details of the last expedition have been furnished in my despatches.

They are still resolute to retain the religion of their fathers; and with our assistance the boundary of Mussulman invasion may at least be fixed here.

On the eastern bank of the Ansubba, opposite to Māira, the district called Aseguddee Bukla is now possessed by the Hābābs. This was anciently the seat of an Abyssinian Governor, whose sway extended to Sowakin, and heaps of ruin still exist, but without any inscriptions or other data.

The Hābābs as I have said are converted, and are nominally ruled by the Pasha of Massowah, but are in reality quite independent.

Several chiefs of these tribes have said to me that they would gladly resume their ancient creed were they assured of protection by the occupation of Massowah by a Christian Power. All parties and all religions in this part of Africa unite in their cordial detestation of the Turks.

To the southward, and on the same spur of mountains, adjoining to Hamazayn, the province of Memsa is exposed to the same dangers as Mogos. On the one hand, the troops of Massowah are close at hand; on the other the River Ansubba affords an easy access to those of Taka.

Unless we interfere, this district will soon be rent from the Christian commu-

nity; Dejaj Obbeay being unable to defend these distant outskirts of his dominions. If assured of protection, a few intelligent teachers might soon infuse sounder moral notions into the breasts of the rising generation, and no strong prejudices or associations of cunning priests would here obstruct their efforts as in Abyssinia Central.

Memsa is so elevated as to produce excellent wheat and barley. In 'Mogos, maize, Indian corn, and tobacco, are cultivated with success; under better auspices its surface might be covered with vines; and it would produce coffee and spices, the climate being even and temperate. Though the mountains at a distance appear abrupt, excellent levels for roads are everywhere found. Wood and water are abundant. What hidden mineral wealth may exist I am not competent to say. There were two churches in Mogos, one of which has lately been burnt by the Turks; but no officiating priests. An ancient church, dedicated to the Trinity, still exists on the grand mountain of Tsad Amba, the "White Mountain." This rises square and massive from the valley of Barka, and on the summit reside some monks, who alone possess the secret of the ascent; all the roads being overgrown with jungle, and the path in one spot passing, it is said, over a rocking and narrow slab that bridges a fissure of immense depth.

The mountains of Devra Sinai, in Memsa, less rugged and more lofty, is also the site of pious devotion and the abode of several anchorites. Here bright and ample fountains water large meadows of pasture, and are sheltered by enormous masses of stone. In one of these stones, forty feet in diameter, two chambers have been hewn and adapted to the purposes of a church; the holes in the rocks around shelter the hermit from the weather, or are filled with the bones of pilgrims. This spot, and indeed, the greater portion of Memsa, would form a delightful senatorium for residents at Massowah.

These provinces, like all that have been gradually severed from Abyssinia, have no regulated government, and have assumed, from the necessities of their position, a resemblance to the Arab Kabyles. Each tribe, or family, is under some influential man, who, though he cannot order summarily, can generally succeed in persuading, and who is usually the richest and most talented of the race. To him is intrusted the power of inflicting such punishments as the obligations of social life have, by common consent, forced them to adopt, but which, however, are rarely necessary; he also, with other elders, decides disputes regarding property and exercises considerable power, though with no state and a disagreeable amount of vociferation; he also takes care of his own cattle, seldom possessing the luxury of a servant. This latter is, indeed, almost unknown to these simple races, each man depending on the assistance of his children, and regarding them as his truest wealth. One trait is honourable to the inhabitants of Mogos; the highest respect is paid to strangers, not outwardly, but in fact. The Hābābs are proverbially treacherous; and the Beni Ameer were certainly so, till restrained by the strong hand of Egypt.

Three hundred men would be sufficient for the government of all these districts.

The people of Māira are of Bedouin race, and claim kin with those near Massowah; other tribes, as those of Barea and Aliguddee, to the westward of Barka, it would be useless for me here to describe. The Hābābs have, for a long period, been nominally at least submitted to the Massowah Governor; but, I think that the restoration of Halhal, so recently conquered, to its former independence, as a part of the Christian province of Billayn, might be demanded; and that province, with Memsa, should be declared to be a portion of Teegray, under our protection.

The only other race that, on the northern frontier of Abyssinia, intervene between that country and the Arab tribes subject to Egypt, is the Shankalla, partly of negro origin, or Nubian. These Shankallas possess a large and fine tract country between the rivers known in Abyssinia as the Murrub and Takazzee, and called by the Arabs El Gasch and Shayteet; their principal village is on the former torrent, and known as Maidaro or Belga; they have no form of government, each village being quite independent, some elder selected by the rest acting as arbitrator; nor do they even assist each other against a common enemy.

By nature I think they are docile and intelligent; but long-continued enmity and warfare with all the surrounding nations has rendered them as blood-thirsty as the beast of prey that abound in their dense forests. Their hand is truly against every man. In spite of the incessant attacks of Turks, Arabs, and Abyssinians, they are so prolific and tenacious as to retain their native land, and often do they

inflict injuries as great as those they suffer. Patient, strong, and enduring alike of fatigue or hunger, they proceed many days' journey in search of booty or revenge, and often, from their ambush, cut off a whole caravan. No one has yet been able to approach them on terms of friendship, but in my opinion they have the elements of a more social existence abundant amongst them, In the Egyptian provinces I found many Abyssinians, whose country and family I knew, that had been sold into slavery by these Shankallas.

They cultivate the ground and possess cattle and flocks in abundance; they live also in great measure by hunting and on the wild honey that is found in vast quantities. They have in general no idea of trade, but lately have begun to sell ivory through the medium of some neutral Arabs on their frontier, in return receiving chequered calicos and cloths of native manufacture; money is not in use.

On all sides Abyssinia is surrounded by barbarous tribes. The monks who visit Jerusalem conceal or falsify their knowledge of other nations; and the only point at which the merchants can meet with other Christians is at Massowah, during their annual visits; for they are not permitted to cross the sea with their goods; the Turks being also interested in preventing too strict an amity with Europe.

Few Europeans have visited the interior, so that it is not surprising that so vain a nation should have a contempt for the Christian races, equivalent to their ignorance of them. The Turks they utterly despise, and having the advantage of fire-arms in their contests with the Gallas and others, they rate themselves as the first, almost the only, nation. In general they have a faint conception that a few white men exists beyond the sea, on a spot of ground not worth mentioning; but they do not believe that Kings or Kingdoms, fruitful soil or genial climate, are found save in Abyssinia. A few exceptions of intelligent men there certainly are, but these dare not enlighten the rest, and are laughed at if they attempt.

All, even these, are convinced that as a military power, none can approach them. These traits are, it is true, common enough amongst ignorant races, but they are curious, if we consider that no religious differences separate us, and that the stream of pilgrimage, uninterrupted for fifteen centuries, has brought no fertilizing waters of knowledge to this sterile soil. This shows either singular apathy, impenetrable vanity, or sustained deceit; probably all three in pretty equal proportions.

Europe has almost ignored the existence of Abyssinia. The Abyssinians who formerly ruled Yemen and traded to India, were deprived of their conquests by the immediate successors of Mahomed, and, their own sea-coast being soon wrested from them, were shut up in their rugged mountains, before the progress of arms and civilization enabled Europeans to inquire into the affairs of distant nations. Since then no great effort has been made to open a communication, save once for the purpose of establishing the authority of the Roman Catholic Church, which disastrously failed, and the Abyssinian, amidst the abundance of his own country, soon forgot the little he ever knew of others.

It is certain that Europeans are at present but little considered in Abyssinia. An individual, by imitation of their manners, by courage, addresses in warlike exercises, and a perfect knowledge of their language, may gain some influence; but all that is European in manners and dress, often even in ideas, is purely ridiculous in the eyes of this people. For instance, they do not much admire strength of mind or firmness of purpose, even when conjoined with a rare forebearance and suavity. Indeed, the word used by them is also a synonym for obstinate and disagreeable. They admire more a man who yields with courtesy to the entreaties or reasoning of others, whether persuaded or not.

The great difficulty for an European is to steer between too much decision and too much facility. The former will confer on him the appellation of a brute and general dislike; the latter, of a coward, and general disrespect. They themselves having no pride, though much vanity, are very apt to estimate what we call manly spirit or resentment as ridiculous haughtiness. A man who loses his temper is at the mercy of the cool and witty Abyssinian, who (at least the Amhara) will probably overwhelm him with polite excuses; think of him, if he takes that trouble at all, as one without good sense or good manners; wonder what brought him so far from his own country to get in a passion; and then give orders to admit him no more, unless he hopes to profit largely by him. Directly a white man appears,

the chiefs begin to calculate the amount of presents that they may possibly obtain from him, and the best way of extracting them, according to the character of the victim, in divining which they are singularly adroit; and the soldiers, with watery mouths, hope for the day when so rich a booty may become theirs on the highway —a hope which they often express before the party principally concerned. It is no easy task to maintain a dignified position against the combined efforts of ridicule, ill-disguised contempt and unblushing cupidity; and an European envoy, unless strongly supported by a native monarch, can hope to reap little benefit from his mission.

Unhappily the country, a prey to so many masters, offers not this support; and the fall of Ras Ali, who at one time bid fair to obtain a power that might be called sovereign, has again swept away all prospect of stability. Up to the time of Bruce's visit, white men were favoured, provided they did not rouse the enmity of the priesthood by daring to shake the veil of deceit and darkness thrown around the people with so much art; but, though strangers were received well, there was always a reluctance to permit their departure. In later days the chiefs of Teegray, the Ras Welda Selassie and Dejaj Sabagardis, showed themselves friends of progress and entered cordially into the views of Mr. Salt. Death, in both instances, prevented a solid friendship, and probably some lasting fruit.

After these Oobeay, a stranger, conquered Teegray, and adopted a contrary policy. When not contemptuous, he has always been indifferent to foreigners, nor would he listen to tales of improvement and innovation. During this period, the general idea has been to profit by our purses, and to reject all serious purpose or prospect of future benefit. Sometimes, through incredulity or indifference, more often from a sense of the uncertain duration of their own power, the Ras Ali had good intentions; but sure of nothing beyond his own camp, accustomed to temporize, and govern by policy rather than vigour, he could do little, even in Christian Abyssinia, to assure the position of an Envoy or Consul—nearer the coast, nothing. It is evident that some means must be found, if possible, to furnish the majority of the nation with a more clear idea of the weight of our enmity, the value of our friendship, and the reality of our advances; to render the wild tribes between Abyssinia and the coast amenable to some authority, aud to raise the Turkish blockade at Massowah. These results are only to be obtained by a nearer approach which shall place the Abyssinian in daily contact with the European. It remains, to be seen if such approximation be feasible.

As the route viâ Sennaar to Egypt does not concern us at present, though at some not distant period it may, the facilities afforded by the Indian Ocean or the Red Sea must be examined.

The Red Sea, from Suez to the Straits of Bab-el-Mandeb, is a Turkish lake, and the Turks have possession of every harbour worth mentioning on either shore. On the African coast they have garrisons at Sowakin, Aggeek, and Massowah, the only harbours where ships can lie in comfort and safety; some intervening ports may be found, but these can only shelter Arab boats, and are not worth the consideration of an European Power. I consider the harbour of Portuguese Bay, as it is commonly called, one mile and a-half north from Massowah, as included under that name.

Massowah is, from its position, the natural outlet for Abyssinian commerce in the Red Sea and the only one.

Amphylla, sixty miles to the southward, is a bad roadstead, and a worse landscape; very unfavourable to shipment of goods, and with little water, and of bad quality. This would otherwise, after some trouble with the fierce tribe of Taltals, be the nearest point to Teegray; and when these were subdued might be rendered the depôt of Abyssinian commerce. But the disadvantages are insurmountable, and the Turkish Government claims the whole coast. Of the arrangement between the British Government and the Ras Welda Selassee respecting Amphylla, proposed by Mr. Salt many years since, and I believe partially agreed upon, the Foreign Office will probable furnish more exact records than my hearsay.

It is my distinct opinion that whoever possesses Massowah can command the whole commerce of Abyssinia and the Gallas, in the Red Sea; Teylay, in the Indian Ocean, being the only other port worth consideration, but this latter does not bring the European so closely in contact with Christian and friendly tribes.

The Egyptian Government along the northern frontier of Abyssinia at least merits the name, and rules, in some order and tranquillity, many ferocious and treacherous Arab tribes; but the Turkish Government at Massowah, dependent on Constantinople, of which I have now to speak, is not a Government but a blockade

just sufficient to prevent others from enjoying that which itself cannot pretend to profit by, and to maintain a condition of hopeless stagnation in all the surrounding provinces.

The right of Turkey to Massowah is, so far as ancient conquest can confer it, indisputable; but their right to anything beyond the island is more to be doubted. The Sultan Selim sent his fleets and armies beyond Bab-el-Mandeb, occupied Massowah, and built a fort at Dohono; Aden also receiving a Turkish garrison. When the Empire grew weaker, the troops were withdrawn from all these places; Aden was taken possession of by an Arab Chief, and Massowah by the Naibs or lieutenants, a powerful family, originally dependent on the Emperors of Abyssinia, who, having partially shaken off that yoke after their adoption of the Mahomedan faith, were again subjected by the Turks. When these latter withdrew, the Naibs became almost sovereign rulers, but were forced to pay a tribute yearly to their powerful neighbours the Chiefs of Teegray. One of these Naibs, to increase his importance, or for some other reason, requested from Jeddah a guard of thirty men commanded by an Aga; which request was granted with joy. Bruce's account shows that the Naib acted as an independent ruler at that time. Many years afterwards, in consequence of family disputes, an arrangement was entered into with the Pasha of Jeddah, whereby the latter bound himself to pay to the Naib 12,000 dollars per annum, in consideration of which he was allowed to maintain an Aga and sixty men in Massowah, and to receive all the duties paid by the Abyssinian merchants.

The Island was thus again ceded to Turkey, the mainland remaining in the hands of the Naib; so much so that when the French appointed an Agent at Massowah, the Naib refused him permission to land, and demanded large sums likewise from all missionaries proceeding to Abyssinia; nor had the Turkish Governor of the island any voice in these matters.

The Naibs, finding their family feuds becoming more entangled, at last adopted the fatal step of demanding a firman from the Pasha of Hedjaz, insulting one of their number; this took place nearly twelve years since. During this time also the tribute to Dejaj Oobeay, Chief of Teegray, was fixed at 2,000 dollars a-year; the Naib possessing some villages im that province.

Such was the state of affairs when I returned to England in 1847; during my stay there great changes occurred, which I then pointed out to Her Majesty's Government. Massowah was handed over for a year to Egypt. I have reason to think that there was then an understanding for the invasion of certain provinces of Teegray at least; at any rate, Massowah began to rise in importance. Instead of an Aga, with 60 soldiers, who smoked away their time in the island, an energetic Governor, with the title of Bey, and 600 good troops, was sent. He immediately refused the payment of 1,000 dollars monthly to the Naib; and when the latter in return stopped the water supplies, he attacked and burnt the village of Dohono, built there a port, and proclaimed that all the country along the sea, and for forty miles inland, belonged to his master solely; the Pasha of the Hedjaz still receives his title of Pasha of Abyssinia.

Since that time, the Naibs have become null. The government of Massowah was again handed back to Constantinople, and instead of a Bey a Pasha was sent direct from the seat of government; but the change from the vigorous administration of Mahomed Ali was soon felt. The Governors from Constantinople, though of high rank, have but one thought, the extraction of money. They have a Naib, whom they pay 30 dollars a-month, and send right and left to demand revenue from the neighbouring tribes; and that done, the country beyond the island is left to its own resources, and to fight its own battles and appoint its own local chiefs. Having destroyed the power of the Naibs, the whole land is without law or security.

The Chief of Teegray, impatient at the loss of his usual tribute (which the Naib could not and the Turks would not pay), several times ravaged the whole coast, even within sight of Massowah and the Turkish fort; and has only desisted latterly, owing to my representations.

The state of interregnum thus established renders the road between Massowah and Abyssinia Proper disagreeable and dangerous; every man must there protect himself. Under the infliction of Abyssinian confusion and Turkish supineness, these regions have become mostly gloomy forests without settled inhabitants, without law, and without a judge, and haunted by robbers and plunderers from every neighbouring tribe.

Such is the state of the coast; but as the Pasha of Massowah must give some account of the twenty provinces supposed to be submitted to his authority, every few months he procures the signature of a number of people in Massowah to a paper setting forth that perfect order and tranquillity reign everywhere in the Sultan's extensive possessions in this part of the world. In a manner hitherto believed to be peculiarly Chinese, this despatch is always sent when the neighbourhood is most disturbed and when marked disorders have occurred in the town.

The internal administration of the laws in Massowah and Dahono, the only spots really in the power of the Pasha, depends of course on the personal character of each Governor.

Under the present one crimes have been unusually frequent; the town is burnt down three or four times a-year; the soldiers have been repeatedly in a state of mutiny, insulting the Pasha to his face with scarcely even a reprimand, and are now restrained only by the firm conduct of their immediate officers; many robberies have occurred, and none have been traced; there is no police; and his justice may be briefly illustrated by his having put in prison a respectable merchant who complained of a burglary for the reason that it was impossible such a crime could have occurred under his administration, and therefore the complaint must be false.

The greatest jealousy of all Europeans has invariably characterised every Governor; every attempt is made to discourage merchants that wish to settle; and every effort that cunning can suggest has been made to lower the position of the Consuls in the eyes of the natives and the Abyssinians, and to keep up the illusion that stills prevails here that the Sultan is Lord of the world.

My late despatches will have shown the annoyance and insults to which we are sometimes subjected. The Abyssinians being in contact with the Turks alone of the white races, and these occupying the only practicable approaches to Abyssinia, the foreign policy of that country resolves itself into three questions: whether it is better that Egypt and Abyssinia should be under one sovereign; whether the Turkish Government should be obliged distinctly to recognize the independence and limits of Abyssinia, and to afford every facility and protection to a transit trade, and to the residence of European and Abyssinian merchants in their territory for that purpose; or whether, and much better, we ourselves should break through this blockade, and by securing a point fit for the free intercourse of the two races, and where European intelligence, wealth and enterprise might produce their full effect, should throw open these rich and secluded realms to the efforts of the statesman, the merchant, and the philanthropist.

No. 5.

Consul Plowden to the Earl of Clarendon.—(*Received November* 3.)

My Lord, *Gondar, June* 25, 1855.

I HAVE the honour to inclose a report, being a short account of the recent change of Government in Abyssinia; the present state of the country; the character of the King Theodorus; his reforms and ideas; and of my interview with him, and its results.

I trust that instructions will be sent as soon as convenient, the state of my health having for some time required medical advice that I cannot obtain here.

I have, &c.

(Signed) WALTER PLOWDEN.

Inclosure in No. 5.

Report.

IN my last report I represented Northern Abyssinia, independently of Shoa, as being ruled by three Chiefs, who were generally at variance with each other, and whose feudal vassals were most often in a state of secret or open rebellion. A remarkable man has now appeared, who, under the title of Negoos or King Theodorus, has united the whole of Northern Abyssinia under his authority, and has established tolerable tranquillity, considering the shortness of his career and the hazardous wars in which he has been and is still engaged.

From his earliest youth, Dejajmatch Kasai regarded his present elevation as assuredly

destined, but concealed his designs with prudence equal to his daring until ripe for execution. First he denied the authority of the Queen, mother of Ras Ali, under whom he governed the provinces near Sennaar; defeated in succession all the troops she could send against him; and lastly, herself, with tenfold his numbers: he protested, however, that he was still the faithful servant of Ras Ali, but refused to surrender except on certain conditions of peace. The Ras then sent against him an immense force; the armies camped opposite to each other for some time, the Ras not wishing to drive matters to extremity; and in the interval Kasai fought several minor battles, detected and punished some traitors in his own camp, and introduced a little discipline into his army.

The Ras having sworn to do him no injury, he surrendered and came to Devra Tabor, where he so completely lulled all suspicion that he received all his former honours and provinces from the Ras; the Queen being in a measure disgraced. He returned to Kwora and attacked all the low countries towards Sennaar, Shankallas or Arabs accustoming his soldiers to war and hardships.

His projects not being yet matured, on several occasions when it was confidently reported that he had rebelled, he baffled his accusers by suddenly appearing in the Ras's camp, and following him to war in Godjam with about a third of his forces, thus quite winning his heart, though I ventured to point out to the Ras his dangerous character.

At last, about two years and a half ago he threw off the mask, and the Ras having sent against him Dejajmatch Goscho, that Prince was defeated and slain in battle.

The Ras now became seriously alarmed, and ordered half his army under his best commanders to attack him; he also called upon Dejajmatch Oobeay, Chief of Teegray, for assistance, and that Prince furnished a very large contingent. Though numbers were so overwhelming against him, Dejajmatch Kasai met these forces and gave them a signal defeat, killing most of the Chiefs; shortly after he took the daring resolution of attacking the Ras, and arriving by forced marches near the camp of that Prince in Godjam in the rainy season, sent him a defiance, and met him, though so far superior in cavalry, in the open plains. The Ras fought with the utmost courage in person; the loss of life was considerable on both sides, but Kasai's determined valour again won the day, Ras Ali escaping.

He then retired from Godjam, and afforded to Birro Goscho, who had been for five years besieged by the Ras in his mountain fort of Soma, an opportunity of leaving that stronghold.

During some months Dejajmatch Kasai remained tranquil, amusing Dejajmatch Oobeay at first with friendly proposals, afterwards demanding of that Chief the Aboona Salama, who had been banished by Ras Ali, with menaces in case of non-compliance. Oobeay becoming alarmed sent, first, his son with proposals, and, subsequently, the Aboona; the latter was reinstated in his dignity at Gondar, and a peace was made between the Chiefs. Dejajmatch Kasai then pursued Birro Goscho even to the Galla provinces, where he had assembled a large force, defeated and took him prisoner.

He was now strong in guns and troops, and on his return camped in the province of Waggera, from whence he declared war against Oobeay, reproaching him with his falsehood, which was proved, in having sent letters to encourage Birro Goscho. With some reluctance Oobeay at last put himself in motion to oppose Dejajmatch Kasai, who had advanced into Semen; the latter, by forced marches, fell suddenly upon his rival, and in two hours defeated him, taking prisoner all his sons and generals with himself; without delay he invested Oobeay's strongholds, which surrendered at once.

The fruits of this last victory were large treasures accumulated for three generations; the submission or imprisonment of almost all the Chiefs in Abyssinia, and the coronation of Dejajmatch Kasai by the Aboona Salama, under the title of Theodorus, King of Kings of Ethiopia.

Discovering a plot against his life, the King only placed in durance those concerned, displaying in all things great clemency and generosity, and the ransom of Dejajmatch Oobeay was fixed at 120,000 dollars.

With scarce a week's delay, and in spite of the murmurs of his soldiers, the King marched against Mahomedan Gallas, who had, during his absence, burnt some churches, and assembled all the forces of Christian Abyssinia, Teegray included, in the province of Dillanta, on the borders of Worrahaimano, where I found him.

He may have from 50,000 to 60,000 men of all arms.

Such has been his adventurous and warlike career. I shall now say a few words on his personal character, the reforms he has effected, the designs he is contemplating, and the condition and prospects of the country.

The King Theodorus is young in years, vigorous in all manly exercises, of a striking countenance, peculiarly polite and engaging when pleased, and mostly displaying great tact and delicacy. He is persuaded that he is destined to restore the glories of Ethiopian

Empire, and to achieve great conquests; of untiring energy, both mental and bodily, his personal and moral daring are boundless. The latter is well proved by his severity towards his soldiers, even when these, pressed by hunger, are mutinous, and he is in front of a powerful foe; more so even by his pressing reforms on a country so little used to any yoke, whilst engaged in unceasing hostilities, and his suppression of the power of the great feudal Chiefs, at a moment when any inferior man would have sought to conciliate them as the stepping-stones to Empire.

When aroused his wrath his terrible, and all tremble; but at all moments he possesses a perfect self-command. Indefatigable in business, he takes little repose night or day: his ideas and language are clear and precise; hesitation is not known to him; and he has neither councillors nor go-betweens. He is fond of splendour, and receives in state even on a campaign. He is unsparing in punishment—very necessary to restrain disorder, and to restore order in such a wilderness as Abyssinia. He salutes his meanest subject with courtesy; is sincerely though often mistakenly religious, and will acknowledge a fault committed toward his poorest follower in a moment of passion with sincerity and grace.

He is generous to excess, and free from all cupidity, regarding nothing with pleasure or desire but munitions of war for his soldiers. He has hitherto exercised the utmost clemency toward the vanquished, treating them rather as his friends than his enemies. His faith is signal; without Christ, he says, I am nothing; if he has destined me to purify and reform this distracted kingdom, with His aid who shall stay me: nay, sometimes he is on the point of not caring for human assistance at all, and this is one reason why he will not seek with much avidity for assistance from or alliance with Europe.

The worst points in his character are, his violent anger at times, his unyielding pride as regards his kingly and divine right, and his fanatical religious zeal.

He has begun to reform even the dress of Abyssinia, all about his person wearing loose flowing trowsers, and upper and under vests, instead of the half-naked costume introduced by the Gallas. Married himself at the altar and strictly continent, he has ordered or persuaded all who love him to follow his example, and exacts the greatest decency of manners and conversation: this system he hopes to extend to all classes.

He has suppressed the Slave Trade in all its phases, save that the slaves already bought may be sold to such Christians as shall buy them for charity: setting the example, he pays to the Mussulman dealers what price they please to ask for the slaves they bring to him, and then baptizes them.

He has abolished the barbarous practice of delivering over murderers to the relatives of the deceased, handing over offenders, in public, to his own executioners to be shot or decapitated.

The arduous task of breaking the power of the great feudal Chiefs—a task achieved in Europe only during the reigns of many consecutive Kings—he has commenced by chaining almost all who were dangerous, avowing his intention of liberating them when his power shall be consolidated. He has placed the soldiers of the different provinces under the command of his own trusty followers, to whom he has given high titles, but no power to judge or punish; thus, in fact, creating generals in place of feudal Chieftains more proud of their birth than of their monarch, and organising a new nobility, a legion of honour dependent on himself, and chosen specially for their daring and fidelity.

To these he gives sums of money from time to time, accustoming them to his intention of establishing a regular pay; his matchlock-men are numbered under officers commanding from 100 to 1,000, and the King drills them in person. In the common soldiers he has effected a great reform, by paying them, and ordering them to purchase their food, but in no way to harass and plunder the peasant as before; the peasantry he is gradually accustoming to live quiet under the village Judge, and to look no more to military rule. As regards commerce, he has put an end to a number of vexatious exactions, and has ordered that duties shall be levied only at three places in his dominions. All these matters cannot yet be perfected, but he intends also to disarm the people, and to establish a regular standing army, armed with muskets only, having declared that he will convert swords and lances into ploughshares and reaping-hooks, and cause a plough-ox to be sold dearer than the noblest war-horse.

He has begun to substitute letters for verbal messages. After perusing the history of the Jesuits in Abyssinia, he has decided that no Roman Catholic priests shall teach in his dominions; and insisting on his right divine over those born his subjects, has ordered the Abyssinians who have adopted that creed to recant; to foreigners of all classes, however, he permits the free exercise of their religion, but prohibits all preaching contrary to the doctrine of the Coptic Church. To the Mohametans he has declared that he will first conquer the Gallas, who have seized on Christian lands, devastated churches, and, by

force, converted the inhabitants to Islamism; and after that, the Mussulmans now residing in Abyssinia will have the option of being baptized or of leaving the country.

He is peculiarly jealous, as may be expected, of his sovereign rights, and of anything that appears to trench on them; he wishes, in a short time, to send embassies to the Great European Powers to treat with them on equal terms. The most difficult trait in his character is this jealousy and the pride that, fed by ignorance, renders it impossible for him yet to believe that so great a Monarch as himself exists in the world.

In his present campaign he proposes to subdue or exterminate the Mohametan Gallas, and perhaps Shoa. Next year he will devote to the settlement of Teegray, including the tribes along the coast, and meditates the occupation of Massowah. After that he wishes to reclaim all the provinces lately conquered by Egypt along his northern frontier; even Khartoum, as his by right: nor does his military ardour hesitate to dream of the conquest of Egypt, and a triumphant march to the Holy Sepulchre.

Some of his ideas may be imperfect, others impracticable; but a man, who rising from the clouds of Abyssinian ignorance and childishness without assistance and without advice, has done so much and contemplates such large designs, cannot be regarded as of an ordinary stamp.

The King is now, I hear, wasting Worrahaimano with fire and sword; the Abyssinians but lately accustomed to his vigorous sway, and in no way comprehending the grasp of his ideas, already fancy that he will not return, and bring about prophecies and discontents, fostered by Galla emissaries. The country is disturbed; but there is only one open or dangerous revolt, headed by the son of Dejajmatch Oobeay in Semen, who, owing his life and freedom to his King's mercy, now gives out that he himself is the destined Theodorus. He has gathered together a considerable army, and occupies the road between Gondar and Teegray.

The King is confident in his strength, and with his usual unhesitating courage, looking only to the enemy of most importance and in his front, will not, at present, condescend to notice this ebullition; but if he returns crowned with victory, no mercy will be shown to these rebels, his enemies will disappear, and tranquillity will be at once restored.

He will hereafter be quite capable of carrying out his views with regard to Massowah, though he will be unable to contend with the Egyptian forces.

Should he unite all the Gallas and Northern Abyssinians, Shoa to Tajoura and Zanzibar, Teegray with the sea-coast and Massowah, into one government as he purposes, and a frontier arrangement be made with Egypt, Abyssinia may, under his rule, rank as a Christian kingdom; this is the last chance for negotiation and Treaties.

Should he now or at any time fail in his designs, or fall in battle, the misrule and anarchy that must ensue will baffle all human calculation, and render peaceful interference impossible: Abyssinia must then be left to her destinies, until some European Power shall think it worth while to conquer and instruct the most fertile of African provinces.

On approaching the camp, the intervening country being dangerous to traverse on account of the Gallas, I requested an escort; the King, to do me honour, sent four of his generals with several companies of gunners, who accompanied me to the camp with ceremony, the King's flutes and drums playing before me, and fired a salute of musketry when I approached his tent. The tent was filled with all his officers in handsome dresses, and the ground was entirely covered with carpets; the King was seated on a couch, splendidly attired, with his crown on the pillow and his sword of state held behind him: the Aboona and the Tchegee were seated on high chairs to the right and left—every one else standing. He received me with great politeness, and caused me to sit down on a carpet near himself. After a short conversation respecting my journey, and on the forms of government in England and other countries, he told me to retire, as I must be fatigued, causing a large tent to be pitched for me.

The next day I saw him again early in the morning. After my visit, an Abyssinian of the Roman Catholic persuasion was brought to trial; this man the King ordered to dispute publicly on his religious creed with the Aboona, saying that if his reasons were the best he himself would become a convert. The monk refused to recognize any authority there present, and said he would dispute only before the Pope of Rome: the King sent for me, and as the monk persisted in obstinate silence, the Judges after some discussion gave sentence of death for contumacy to his Sovereign; which sentence the matchlockmen were called out to execute immediately. There were above 1,000 persons present; but even the Aboona, who wished to save the man, dared not speak. I rose and obtained his life, but could in no way persuade the King to banish him or release him from his chains.

The evening before the day fixed for my departure the King sent to me to know the object of my coming. I replied that I had not come on the part of the Government or in any official capacity; but that as I was about to visit England, it was important that I should know and report His Majesty's disposition respecting the establishment of a Consulate, and friendly relations generally; I hinted also at what had been arranged with the Ras Ali. The King said, "I know nothing of what Ras Ali may have done; I am young and inexperienced in public affairs; I have never heard of a Consulate under the former Kings of Abyssinia, and this matter must be referred to my Council and the principal people of my Court."

The next day being sick myself, I sent Mr. Bell, who is much trusted by the King; and after several messages to and fro the King finally replied as follows, "I cannot consent to a Consulate, as I find in the history of our institutions no such thing; but for anything else that you wish for, now or hereafter, for yourself or other English, I shall be happy to perform your pleasure, and could I receive any Consul I should wish for no one more agreeable to me, or more esteemed by me, than yourself."

I had ventured to hint that the sea-coast and Massowah might possibly be given up to him on his consent; but though his ambition was roused at this, he feared the clause conferring jurisdiction on the Consul as trenching on his prerogative, and the time for consideration was so short that though half inclined to say yes, he was too much startled at my proposals to do so.

The next morning he offered me some hundred dollars for the expenses of my journey, and begged me to pass the rainy season in Gondar; I replied that had he received me as Consul I should even have followed him in his campaigns, and have shared his dangers; but that after his refusal, my duty was to return to my country as soon as possible, and that as for the money I could not receive it, as I was paid by my own Sovereign. He spoke to me in the most affectionate manner, gave orders for my honourable reception every where as far as Massowah, and said, "In refusing your request for a Consulate, my only reason is that it appears an innovation, but do you not forget my friendship for you, and cause your Queen also to regard me as a friend. After the rains I shall send to Her Majesty an Embassy and letters, and when these wars are finished I will give every favour and protection to Englishmen who may visit my country: do you also visit me and write to me."

The Aboona Salama tried in every way to assist me in this negotiation; and it will be seen that the King's refusal is hardly a refusal, and that he does not wish to break off all Treaty with us, but rather the contrary, being only startled by the clause about jurisdiction of Consuls.

I left the camp with all honour, the King adjuring me twenty times not to forget to write to him constantly wherever I might be, and giving me his own mule to ride as a proof of his friendly feelings. I told him that I should report all our conversation, and receive the orders of my Government in consequence; that I should then report the answer to him, which was all that I was authorized to do.

The matter was much hurried, as the King was on the eve of starting against the Gallas, with whom his outposts were indeed daily skirmishing; and my state of health would not permit of my encountering the fatigues and privations of such a campaign. Neither did I think it advisable to appear too eager at first, as that might arouse his suspicions, and confirm him in an obstinate refusal.

I told him that I was sorry for his decision rather on his account than on mine, but that he was perfect master in his own dominions, and to decide as he pleased.

There is no doubt that the Roman Catholic Mission has caused much jealousy in regard to Europeans, and not unnaturally, as that Mission obstinately persists in usurping the functions of the Aboona and the Abyssinian clergy, so the King has an undefined but not unreasonable fear that we wish in like manner, and by friendly appearances, to usurp the political rights of the Sovereign; or rather, his Councillors wish to persuade him to this effect.

I see much to hope for in these conversations. It is well to find a King in Abyssinia proud of his dignity, alive to his responsibility, capable of considering grave matters, and of replying with decision, not lightly giving assent to a things he does not understand, and yet seeking for our friendship in all ways that he can understand. Nor is it very important to obtain a direct accord until such a time as his power shall be firmly fixed. Whenever he does sign a Treaty, to whatever effect it may be, he will fully appreciate his obligations, and faithfully fulfil them to the extent of his authority. Any other Abyssinian would have temporized in the hope of obtaining presents, as did the King of Shoa, Sahela Selassie; but this man has a noble disdain of falsehood or covetousness.

It is apparent from the honourable and friendly manner in which I took my leave,

and from the King's expressions, that he does not regard his refusal as a matter that should break off our correspondence, or give offence. He has refused rather the form than the substance of our proposals.

The Aboona Salama and Mr. Bell, who has ever exerted himself in my behalf with the utmost zeal, will lose no opportunity of explaining to the King the nature of a Consulate and of our other propositions; and I think that the objections he has taken will be somewhat modified ere long. He in fact only wishes to treat on equal terms, and considers that his own laws and administration of justice should suffice for all strangers; and that a Treaty, if made, should be carried out by himself without the Envoy having judicial powers, though he would not object to an Ambassador to represent the interests of a foreign nation, without those powers.

Two of the principal difficulties that we have hitherto had in negotiating with Abyssinia are now in a fair way of disappearing: one vigorous Sovereign may replace the feudal oligarchy, the proud and rebellious chieftains, that have hitherto bewildered all my efforts: the interregnum on the coast belonging neither to Turk nor Abyssinian may disappear, and those wild tribes that acknowledge no law but their will, no faith but their swords, and that hold the passes into Abyssinia, may be taught to acknowledge a lord and master. The one difficulty that will remain is the want of a sea-port in the hands of either England or Abyssinia.

In the present state of affairs, there are three ways of acting:—

One, to withdraw altogether the Consul from Abyssinia, and to cease all communication with that country.

The second, to consider that the King proposes to attack the Egyptian territory, at least where the Egyptian troops have occupied any portion of the ancient limits of Abyssinia; and also that he will probably seize on Massowah, unless the Turkish Government should defend it with such a force as will render it a heavy burden on the finances: therefore to await in silence the course of these events, when probably he will recognize the value of our friendly proposals, and seek himself for a renewal of them.

The third, to accept his proposition of sending Ambassadors, and to trust to their report of their reception and of our greatness, which information may very likely induce the King to accord all we wish; he being already half-disposed to listen to us.

On the first Her Majesty's Government must decide, after examining this report, which is not so full as I could wish; in consequence of my unwilling detention in Gondar, and the near approach of the rainy season, which makes me fear to delay the departure of my messengers. I trust that this measure will not be decided on, at present.

With regard to the second, I think that should the King agree to our proposals hereafter, it would be better for all parties that Massowah should be given up to him on condition that he appoint an European in his service as Governor. The Turks cannot keep that island in future, if the King's power increases, without large garrisons; but the King can stop their trade as he pleases, and can harass them continually; he would reduce to obedience the half-civilized and ungoverned coast tribes, would reclaim the Hababs and other numerous Christians, abolish all interior duties on English imports, would need but a small force there for purposes of police, and would there learn the value of trade and of foreign intercourse.

On the other hand, should the Turks remain in an expensive and precarious possession, the state of disturbance and anarchy along the frontier will always exist as at present, or be doubled, unless indeed they should follow up their large garrisons with large armies, for which the attacks of the Abyssinian King will soon afford them a pretext, and then attempt the conquest of the country.

As regards the frontier towards Egypt, the King will probably soon receive there a check, that will induce him to seek for our mediation, and which will conduce much to the enlargement of his ideas. Egypt may be made to abandon some of her more recent conquests on the frontier, and Abyssinia with a seaport of its own, a settled boundary, and a King with civilized ideas, will be worth treating with on something like equal terms.

The third proposition as to receiving the King's Ambassador may be entertained at the same time with these ideas suggested by the second; and it is in my opinion the most feasible: always supposing that the King returns with success from his Galla wars, consolidates his authority, extends it over all Abyssinia as I expect, and sends Ambassadors of such rank, manners, and intelligence as may conduce to his own honour and subsequent enlightenment.

I trust that the road will be clear to Massowah by the time that I receive a reply to

this dispatch and instructions. If your Lordship is of opinion that the Ambassadors from the King should be received, I shall in escorting them take advantage of the leave of absence already accorded to me, and in case of different orders I shall also profit by that leave, after having by letter communicated your reply to His Majesty.

In the case of such an Embassy, I request also to be informed if passage by steamer and railway, hotel bills, and such expenses as will scarcely enter into the calculations, or the means, of an Abyssinian monarch of modern times, however munificent, will be borne by Her Majesty's Government; if so, in what manner and to what amount. If it be worth while to receive these Envoys, it is worth the while to receive them in a manner becoming our own greatness.

(Signed) WALTER PLOWDEN.

Gondar, June 25, 1855.

No. 6.

The Earl of Clarendon to Consul Plowden.

Sir, *Foreign Office, November* 27, 1855.

I HAVE read with great interest the able Report on the present state of the Kingdom of Abyssinia, inclosed in your despatch dated Gondar, June 25, 1855, and I entirely approve your proceedings, as reported in that despatch, as well as the language held by you at your interview with King Theodorus.

You will acquaint the King that Her Majesty's Government are fully informed with respect to the events that have recently taken place in Abyssinia, and that they desire to express their admiration of the valour and skill which he has displayed in the field, and of his moderation in victory, and also of the wisdom and benevolence with which he has commenced the work of reform, and of his labours for the welfare of his people. At the same time, however, you will convey the advice and express the earnest hope of Her Majesty's Government that the King will abstain from religious persecution and extending religious principles by force of arms, which is contrary to the principles of Christianity, and cannot fail to involve him in endless troubles.

Her Majesty's Government are convinced that the establishment of friendly and intimate relations between Great Britain and Abyssinia would be attended with many advantages to both countries; and you will accordingly inform the King that the Queen, our gracious Sovereign, will have much pleasure in receiving, and treating with due honour, the Ambassadors whom His Majesty may send to her Court.

This must, however, depend upon your receiving from the King a distinct assurance that he renounces all idea of conquest in Egypt and at Massowah.

Her Majesty's Government have latterly remonstrated in the strongest terms against the intentions of the Viceroy of Egypt to attack Abyssinia, and the present Viceroy has not only put a stop to such proceedings, and has confined himself within the limits of his own dominions, but he has set free the Abyssinian prisoners reduced to slavery by his predecessor. Her Majesty's Government would subject themselves to grave suspicions if they received an Embassy from a Sovereign whose designs against the Sultan, the ally of the Queen of England, were previously known to them.

Should you receive a complete and satisfactory assurance on this subject, and should the King of Abyssinia determine to send Ambassadors to Her Majesty's Court, it will be your duty to accompany them, and you are hereby authorised to defray the expenses of their journey to England, respecting which you will be careful to observe all reasonable economy.

I apprehend, however, that the route which the Ambassadors would pursue must be through Egypt, and as the Viceroy is aware of the hostile designs of the King, it is highly probable that His Highness will not allow them to pass through his territory, and you will therefore communicate with Mr. Bruce, and ascertain from him whether leave will be granted or not, as it would be highly inexpedient that you should be exposed to being turned back from the Egyptian frontier in company with the Abyssinian Emissaries.

I am, &c.

(Signed) CLARENDON.

No. 7.

Lord J. Russell to Consul Cameron.

Sir, *Foreign Office, February* 2, 1861.

YOUR first duty on arriving in Massowah, which you will consider as the head-quarter of your Consulate, will be to make yourself acquainted with the general state of political affairs in Abyssinia.

Her Majesty's Government are so imperfectly informed in regard to what may have happened in that country since the death of your predecessor that I am unable to lay down any very precise rules for the guidance of your conduct.

The civil war which prevailed at that time may have been brought to a conclusion decidedly favourable to one or other of the contending parties, or it may still prevail with the alternate success of either.

It seems to Her Majesty's Government undesirable that you should avow yourself the partizan of either of the contending parties if the contest is still going on. Whatever interest Her Majesty's Government may have in Abyssinia can best be advanced by the tranquillity of the country; but if the British Agent becomes the partizan of one side, the rivalry of European interests, which, however disavowed by the Governments of Europe, is almost invariably found to exist on the part of their Agents in such countries as Abyssinia, will stimulate foreign Agents to declare a partizanship for the other, and thus a civil contest will be promoted and encouraged, which would otherwise die out of itself, or very shortly be brought to a conclusion by the decided preponderance of a victorious party.

The principles, therefore, on which you should act, are—abstinence from any course of proceeding by which a preference for either party should be imputable to you; abstinence from all intrigues to set up an exclusive British influence in Abyssinia; and lastly, the promotion of amicable arrangements between the rival candidates for power.

Her Majesty's Government are aware that religious rivalry has contributed its share to promote dissension in Abyssinia, but such rivalry should receive no countenance from a British Agent; on the contrary, his study should be to extend as far as possible general toleration of all Christian sects, as being most consistent with the doctrines of Christianity and with sound policy. The British Government claim no authority to set up or advocate in a foreign country one sect of Christianity in preference to another: all that they would urge upon the rulers of any such country is, to show equal favour and toleration to the professors of all Christian sects.

But although it is not desirable that you should engage in a contest with the Agent of any other Power for superiority of influence, or that you should openly exhibit suspicion or jealousy of his proceedings, or of the influence which he may be supposed to have acquired, it will be your duty closely to watch any proceedings which may tend to alter the state of possession either on the sea-coast or in the interior of the country, and you will keep Her Majesty's Government at home, and Her Majesty's Governor-General of India, fully informed of all matters of interest which may come under your observation, sending your despatches under flying seal in the one case through Her Majesty's Agent and Consul-General in Egypt, and in the other through the Political Agent at Aden.

In addition to matters of a political or commercial nature, you will pay particular attention to any Traffic in Slaves which may be carried on within your district, and report fully upon the same: and you will further avail yourself of any suitable opportunity to impress upon any native Rulers who may directly or indirectly encourage or permit such a Traffic, the abhorrence in which it is held by the British Government, and the dislike with which any parties who may have recourse to it are likely to be regarded in this country.

I am, &c.
(Signed) J. RUSSELL.

No. 8.

Earl Russell to Consul Cameron.

Sir, *Foreign Office, February* 22, 1862.

WITH reference to my despatch of the 13th of November last, transmitting some articles as presents from the Queen to King Theodore of Abyssinia, as

an acknowledgment of his kindness in ransoming the remains of the late Mr. Plowden, I have to acquaint you that it has since appeared to me to be desirable that I should address a letter to King Theodore in Her Majesty's name to accompany the presents, and at the same time to announce your appointment, and introduce you to the King.

I accordingly inclose a letter which I have written to King Theodore, and which you will deliver to him, accompanied by suitable expressions of friendship on the part of Her Majesty's Government. If the presents should have been given to him before you receive this despatch, you will still deliver my letter, and make the best explanation in your power of its not having arrived sooner.

I am, &c.
(Signed) RUSSELL.

Inclosure in No. 8.

Earl Russell to King Theodore of Abyssinia.

Sir, *Foreign Office, February* 20, 1862.

THE Queen my Sovereign has been informed by her servants in the East of the exertions which your Highness kindly made to recover the remains of her late Consul, Mr. Plowden, and of your generosity in declining to accept repayment of the sum of money which you paid for that purpose. Her Majesty commands me to assure your Highness that she views your conduct in regard to this affair as a proof of friendship towards herself and the British nation, of which she is duly sensible.

In order more particularly to manifest Her Majesty's thankfulness for these your Highness's services, and to show her regard and friendship for you personally, Her Majesty requests your acceptance of a rifle and a pair of revolver pistols as a present from herself. Her Majesty has intrusted these articles to Captain Charles Duncan Cameron, whom she has appointed her Consul in Abyssinia, as the successor of the late Mr. Plowden, and who has lately taken his departure for his post, and I take this opportunity of introducing him to your Highness, and of requesting your protection and favour in his behalf. He is well acquainted with all that concerns the interests of both countries, and will, I am confident, do all in his power to make himself acceptable to your Highness and to promote your welfare.

I thank your Highness for the letter which you addressed to me, informing me of the steps which you had taken to punish the men who murdered Mr. Plowden and Mr. Bell; and with my best wishes for your uninterrupted health and happiness, I recommend you to the protection of the Almighty.

Your faithful friend,
(Signed) RUSSELL.

(L.S.) The large signet.

No. 9.

Consul Cameron to Earl Russell.—(Received February 12, 1863.)

My Lord, *Godjam, Abyssinia, October* 31, 1862.

I HAVE the honour to report that King Theodore having sent for me at the close of the rainy season, I joined him at his camp here on the 7th instant.

I was received with a salute of twelve guns, and 6,000 Cavalry, Infantry, and matchlockmen were marched out to escort me to camp.

My reception, as regards this point, was the best His Majesty has yet accorded to an Envoy.

On my arrival I was conducted to the King, who awaited me in a large apartment, entirely covered and carpeted with silk.

He received me in a reclining posture, with a double-barrelled gun and two loaded pistols by his side. His Ministers and Generals stood round in their robes of State. I was allowed to be seated.

After a few compliments, mead and broiled meat were brought in, and the interview became public. It lasted many hours, during which His Majesty gave me a detailed account of his last campaign against Negusi. This he did with much

apparent modesty. He dwelt with graphic clearness on the death-scene of his late Grand Chamberlain, the Englishman Bell, in which our countryman singled out the Chief Garratt, to whom Mr. Plowden owed his death, and killed him on the battle-field, while the King similarly dispatched the same rebel's brother.

Both the slain were His Majesty's cousins.

He spoke of his further revenge for Mr. Plowden's death when he executed 1,500 of Garratt's followers on the same day. He did this, he said, to win the friendship of Her Majesty.

He afterwards broke out into invectives against the Turks, said they were encroaching on him on every side, spoke of the seven flags, as he expressed it, that they had planted on the sea-coast, and dwelt much upon alleged advances from the Egyptian quarter.

He announced his intention of fighting with them, and sending Ambassadors to the European nations to justify his conduct.

Two days after this interview I received a message from His Majesty directing me to put down my business with him on paper.

I wrote immediately stating that I was deputed to present him with certain gifts, and a letter of introduction; also to discuss with him regarding the future. That when Mr. Plowden was killed there were two points under discusion, viz., 1st a Treaty; 2nd, the sending an Embassy to England. I offered to take these up where Mr. Plowden had left them.

I was sent for next day to deliver my presents and your Lordship's letter.

Both gave much pleasure, especially the inscription on the gun, to the effect that it was given by Her Majesty in return for the King's kindness to Mr. Plowden.

The King spoke much this day of his goodwill towards England, and the great things he expected from her friendship; and said that he was anxious to purchase fire-arms and ammunition there.

He renewed his invectives against the Turks, and talked of what he could do if assured of our support on the coast.

My replies were as general as possible, as the room was crowded with courtiers, before whom I was unwilling to deal quite plainly with His Majesty.

His Majesty on this occasion presented me with a buckler, two lances, a war saddle, armlet, horse and mule, which I accepted in the name of the Queen, presenting on my own account a barrel organ, some powder, and three double-barrelled horse pistols, the latter being preferred by His Majesty to revolvers.

On the following Sunday I was again sent for, and to a public interview.

The tone of the King had become bolder regarding Turkey. He spoke of the poverty of his country, saying, that by invading Egypt he would be greatly enriched, and vaunted more boastfully than before of the achievements he would perform if England would prevent any interference by France on the sea-coast, and keep off a Turkish fleet.

Feeling convinced that, however strong may be the wish of England to befriend Abyssinia, this was not the temper I was sent to encourage, I waited till an opportunity should occur of correcting His Majesty with regard to what I felt to be the sentiments of my Government.

This soon offered by His Majesty's asking me whether England would not force his Ambassadors through Massowah and Egypt, the question being prompted by his late doubtful treatment of the Egyptian Envoy, Abderachman Bey, which he had endeavoured previously to explain.

I replied that if there was war England could not take his Ambassadors through Egypt without the consent of that Government. If there was peace, that I could see no obstacle.

He repeated the question in another form, wishing that I should leave him an opening for skirmishes on the frontier as apart from actual war.

I gave the same reply. His Majesty then said that his empire and religion were in danger of being crushed, and that he would fight to the death in their defence; but he made this important addition, that he would not make or bring on war until he had made an appeal to all Christendom.

I told him I was glad to hear this, and that I would write it to my Government.

After this I waited several days in the expectation of a private audience. My food became scant and bad, and I detected a disposition among the spies who had been attached to me, according to the custom of the country, under pretence of rendering me service, to turn matters in such a way that at last I should solicit the King to leave.

I was hourly asked when I was going, which I settled one morning by replying to the usual question, to one who I knew would carry it to the King, that I might stay six months if my business was not finished.

An hour after I received a peremptory message from His Majesty to leave for the sea at once, and send him an answer whether my Government would receive his Embassy or not.

I considered, on the other hand, that as I had been sent to His Majesty at a considerable expense, and on a mission of pure courtesy, it was his duty, at least, to give me some reply to the question of a Treaty, which had been so long pending, including the other important point as to his admitting a Representative of Great Britain to reside in his country, if such were our wish.

I thought, too, that, unless I had clear details with regard to his projected Embassy, much embarrassment might ensue to us hereafter, while at the same time I wished to know His Majesty's intentions regarding the Slave Trade, and to elicit information from him regarding an intercourse with his new Kingdom of Shoa, and his hold on the tribes to the side of Zeyla.

I therefore wrote His Majesty a letter, copy of which is herewith inclosed.

Fortunately, just as it was finished, I got a batch of letters from Massowah. One was a letter from Mr. Colquhoun, telling me that he had received my despatch to your Lordship, stating my fears that Turkey intended to encroach on Abyssinia from her new settlements on the coast; to which he replied that the Porte would be warned to do nothing which could give umbrage to King Theodore. He added that I ought to inform His Majesty that his best mode of obtaining the sympathies of England was by putting down the Slave Trade in his dominions.

There was a further passage regarding Mr. Sheffer's mission to Tadjurah, which was corroborated by an extract from the "Home and Overland Mail," forwarded from Aden, stating what the mission had done, and that the new Settlement was merely intended for a base of operations against Abyssinia.

All this, together with the old Treaty made with Ras Ali, was carefully read through to His Majesty by two interpreters well conversant with English.

I also forwarded His Majesty a letter, in Arabic, from Jerusalem, detailing the part our Consul has taken in some outrage against the Abyssinian community there.

The King, at the same time, got information that Russia had 40,000 men within four days of Constantinople; that Sayid Pasha had gone to France; and that the Sultan was in Egypt.

This various intelligence seems to have pressed heavily on His Majesty. He sent me a message thanking me, entreating me to observe the peril in which he was from two powerful enemies, and begging me to act sincerely by him.

On the following morning I sent a note to His Majesty, telling him that, if he wished, I would return by Matemma, where he told me the Turks had been taking tribute unjustly, and gathering troops, and do what I could there to keep them back, or, at least, collect facts which might tell against them hereafter. Matemma is, just now, a hot-bed of fever.

I reassured him about his Embassy; and wishing to mention something more about his statement regarding not provoking attack, which, as your Lordship will perceive, I had written to him to say that I would report, I sent him a letter which I have expedited to our Consul at Khartoum, asking the latter to do his utmost to preserve peace, but, above all, to report military movements or aggression on Abyssinia to Alexandria.

I told His Majesty that I did this for his sake; he must also now keep his own Governors in restraint.

The answer of His Majesty was kind in the extreme.

He deprecated my going to Matemma on his account, lest, as he expressed it, I should die in his country like Mr. Plowden, and he should again be left without a resource in his present difficulties, but bade me act as I thought fitting; said that, though he was ready to fight, peace was best, and asked me again to do what I could for him by writing.

I answered simply that my life, health, and services were always at the disposal of His Majesty.

On the following morning he sent me a silken embroidered robe, similar to that worn by his chief men, with 1,000 dollars towards paying my expenses to Massowah, and a message to come to him.

My first business was to tell him that I had plenty of money waiting for me at

Gondar; that I would write to my Government of his kind consideration; but that if I accepted money from him I might be dismissed from my service.

It was with great difficulty that I could get my interpreters to translate this, as, in Abyssinia, a refusal of such a nature, especially to a King, has in it something of the nature of an insult.

His Majesty made no reply for half an hour. He then said that all he wanted was friendship.

This gave me an opportunity of repeating expressions of goodwill on the part of my Government, and of assuring him of my own high appreciation of his character and devotion to his cause; on which he said voluntarily that he had well considered the subject of a Treaty, about which there would be no difficulty, but that at present his mind was full of other things; also, that if matters went well, he would gladly receive a Consul. He likewise spoke about putting down the Slave Trade, on which I purposely questioned him.

After this I presented His Royal Highness the Duke of Saxe-Coburg's decoration, which was exceedingly well received.

He then wrote the letter to Her Majesty which I herewith have the honour to forward.

The translation were written by his own interpreters.

He intended also to have written a letter to Mr. Colquhoun about the Slave Trade, and a letter of appeal to the King of Holland, similar to those he had already dictated, but it was too late.

This morning I was told to leave for Massowah.

I sent a Memorandum to His Majesty, reminding him of the letter for Mr. Colquhoun, and stated the advantage he would derive from it.

He replied that he would write afterwards, but assured me that he would stop the Slave Trade effectually, not as a concession to us, but because he hated it himself.

He repeated his expressions of entire confidence in me, and added that he believed I would be a friend to him, as Mr. Plowden had been before.

A Royal Circular of appeal has likewise been forwarded to France from the camp this day by a Frenchman, whom the King has given 500 dollars for his road expenses.

It states, like the two others, that His Majesty projects a struggle with the Turks, and wishes to send Ambassadors to France. He requests an answer by the bearer, who is, however, travelling slowly.

One will also go for Russia, with which country His Majesty has been in some communication. Others are being prepared for the German Powers.

As it is desirable, on every account, that we should not be without a correspondence in Abyssinia for a considerable time, I am preparing a letter on the subject to the Resident at Aden, copy of which will herewith be inclosed.

There seems to be no necessity for irritating the King further at this moment about the 1,000 dollars. I will hand them over to the Negadderass of Adona, send your Lordship a receipt in Arabic, and write to His Majesty, telling him what I have done, and sending a copy of the paragraph in the Consular Instructions bearing on the subject.

But I must here state that Mr. Plowden was more than once placed in the same difficulty with myself, by the King's presenting him with money, which he generally accepted to avoid explanations, making a present of larger value in return.

The sooner, however, the King understands our feelings on this subject the better, and my manner of settling the matter will, I hope, prevent such presents for the future.

I propose to proceed hence to the neighbourhood of Bogos, whose inhabitants have been long under our special protection, and for whom we formerly interceded with the Egyptian Government on the occasion of certain predatory inroads, which, from intelligence I have received, may again be renewed.

I will also write to the Pashas of Capalla and Matemma, in order, if possible, to check mischief. This, and writing occasionally to the King in order to hold him to his promise, is all I can do until I receive further instructions from your Lordship.

I have, &c.

(Signed) C. DUNCAN CAMERON.

Inclosure 1 in No. 9.

Consul Cameron to the King of Abyssinia.

May it please your Majesty, *Godjam, Abyssinia, October* 22, 1862.

I HAVE had the honour to receive your Majesty's message of this morning, informing me that I had better leave at once for Massowah, in order to ascertain, for your Majesty's information, whether I would be able or not to pass certain Ambassadors or messengers, whom you are anxious to send to England.

On this point I believe myself justified in repeating the reply I made to your Majesty on the same subject in my last interview, viz., that if Egypt was at war with your Majesty it would be impossible to pass such Ambassadors or messengers through without her consent; if, on the contrary, there was peace, that I could conceive no possible obstacle.

I will, however, send a messenger immediately to Aden, informing the Resident there of your intention, and requesting him to send you an answer direct in Arabic, without reference to me.

Your Majesty ought, however, now to inform me of the number of people of which your Majesty's Embassy, if it goes, will consist; the exact date at which it will be at Massowah, or, if you wish, Hallai; and the character of the presents they are to take, as if there are any horses intended to be sent, as I hear, it will be necessary for me to write this beforehand, so as to insure accommodation, if, indeed, it is possible to afford accommodation on board a steamer.

It might be desirable, too, to speak with me as to the objects of the Embassy, supposing them to be more than what you told me loosely the other day, viz., to appeal to England with regard to certain differences between yourself and Turkey, as also Egypt. We might then consult on those differences, before your taking so serious a step as to bring them before an European Power.

My being an European, and one versed, in some degree, in public affairs, as conducted among us, may perhaps assist you.

Besides which, I may remind your Majesty that my appointment has obliged me to think much over everything connected with Abyssinia.

If your Majesty wishes much business to be done by talking, it would be fitting to choose such a person as the Head of the Embassy as may be thoroughly versed in the matters to be spoken about, and one who would give a favourable opinion of the intelligence and civilization of your people, as well as of your Majesty's character, both of which have been greatly misrepresented by your Majesty's enemies.

The accompanying retinue, also, ought to be the smallest possible; a sufficient retinue being always to be obtained in England.

I would say that one or at most two Heads of the Embassy, and an Interpreter, with a Secretary, if necessary, would be amply sufficient, each with a single native servant.

Having given your Majesty my opinion with regard to an Embassy, as far as I can do so in writing, there is only one point further to discuss with your Majesty, viz., whether your Majesty wishes to avail yourself of my being here to make out a draft of a Treaty for the consideration of my Queen, which, if your Majesty thinks proper, can be signed conditionally, and notice of it now sent on by me, while the draft itself, with the provisional signatures, can accompany your Ambassador.

I have a copy of the Treaty made through Ras Ali with the former Emperor which can be made the base of such a document, if your Majesty wishes, and I now send it you, with certain alterations, for your Majesty's consideration.

As I am anxious to finish whatever I have to say to your Majesty in this letter, as far as I can do so in writing, I may observe at once that I know that the points on which your Majesty made a difficulty in your conversation with Mr. Plowden on this subject were—

1. The acceptance of a Consul.

2. If he were accepted, whether he should have jurisdiction as agreed in the former Emperor's Treaty.

On the first point, I can only ask your Majesty whether Mr. Plowden's stay here was not a positive advantage, in so far as he acted as a mediator and friend generally, but particularly as a protector to the unfortunate Abyssinian tribes laid open to Egypt, while those who ought to have looked after them were cutting each other's throats; whether he did not testify his anxiety by word and deed that your

Majesty, as the most noble and enlightened of Abyssinian Chiefs, should become sole master; lastly, whether he ever showed a disposition to do anything contrary to the interest, honour, or independence of Abyssinia.

Some arrangement, at any rate, on this point will be necessary, if your Majesty really wishes to keep up a close friendship with England. I feel certain, too, that if English artizans were to come here, as I have heard is your Majesty's wish, it would be impossible for them to stay unless there was an officer of some kind, either Envoy or Consul, to look after them.

It would be well if, now that there is an opportunity, your Majesty gave a frank decision on this subject, particularly as your Majesty has now had many years to think it over.

As regard's a Consul's flying a flag, this is by no means necessary ; nor would my Government even wish it, if, as I hear, your people might misunderstand it.

In regard to jurisdiction by a Consul, this is in your Majesty's hands, not ours, to decide. England wants to ensure justice and good treatment to her subjects, and nothing more.

If your Majesty can explain to our Government what I believe to be your Majesty's opinion, viz., that such separate jurisdiction would be impossible to carry out, and is also unnecessary where the laws are so mild as in Abyssinia, this would be sufficient for the present.

But it seems to me that a few hours' conversation would settle these matters either one way or the other.

As your Majesty is now, by God's grace, master of Shoa, I would gladly know whether your Majesty has any intention of opening a trade through Zeyla in opposition to Massowah. In the meantime, I can only point it out to your Majesty as worthy of attention.

If I could have some assurance with regard to the stopping of the Slave Trade in this country, which has again been opened, I believe without your Majesty's knowledge, I feel certain that satisfactory information on that point would be received with much pleasure by my Goverment.

A clause in the Treaty on this subject would be still better.

I can only thank your Majesty now for the courteous manner in which your Majesty has received the presents I brought, of which, as well as of the distinguished manner in which I have hitherto been treated, I shall write immediately to England.

It is my duty, however, to add that if your Majesty wishes me to stay until I have finished everything thoroughly, I can dismiss my people if they are too many for a camp, and stay till you have quite done with me.

I owe it to my Government to tell you this.

I am now about to write to the Pasha of Massowah, telling him that if he commits any aggression on those under your Majesty's rule, from where he is on the coast, I feel certain that his conduct will be greatly disapproved of by my Government.

I will also write to my Government, mentioning your Majesty's wise resolution not to give either Egypt or Turkey any ground for attack, which I feel sure will do much to confirm its opinion of your Majesty's prudence as well as courage.

Your Majesty has many enemies besides the Turks and Egyptians who will rejoice in putting your Majesty in the wrong, and who will rejoice especially if your Majesty gives them an opportunity of doing so.

I have, &c.

(Signed) C. DUNCAN CAMERON.

Inclosure 2 in No. 9.

The King of Abyssinia to the Queen of England.

(Translation)

IN the name of the Father, of the Son, and of the Holy Ghost, one God in Trinity, chosen by God, King of Kings, Theodoros of Ethiopia, to Her Majesty Victoria, Queen of England. I hope your Majesty is in good health. By the power of God I am well. My fathers the Emperors having forgotten our Creator, he handed over their kingdom to the Gallas and Turks. But God created me, lifted me out of the dust, and restored this Empire to my rule. He endowed me with power, and enabled me to stand in the place

of my fathers. By His power I drove away the Gallas. But for the Turks I have told them to leave the land of my ancestors. They refuse. I am now going to wrestle with them. Mr. Plowden, and my late Grand Chamberlain, the Englishman Bell, used to tell me that there is a great Christian Queen, who loves all Christians. When they said to me this, "We are able to make you known to her, and to establish friendship between you," then in those times I was very glad. I gave them my love, thinking that I had found your Majesty's goodwill. All men are subject to death, and my enemies, thinking to injure me, killed these my friends. But by the power of God I have exterminated those enemies, not leaving one alive, though they were of my own family, that I may get, by the power of God, your friendship.

I was prevented by the Turks occupying the sea-coast from sending you an Embassy when I was in difficulty. Consul Cameron arrived with a letter, and presents of friendship. By the power of God I was very glad hearing of your welfare, and being assured of your amity. I have received your presents, and thank you much.

I fear that if I send Ambassadors with presents of amity by Consul Cameron, they may be arrested by the Turks.

And now I wish that you may arrange for the safe passage of my Ambassadors everywhere on the road.

I wish to have an answer to this letter by Consul Cameron, and that he may conduct my Embassy to England. See how the Islam oppress the Christian.

No. 10.

Consul Cameron to Earl Russell.—(Received March 9.)

My Lord, *Axum, Abyssinia, January 1, 1863.*

I HAVE the honour to report that I have been intercepted in my journey coastward by the sudden rising of a rebel on my road.

His object was to possess himself of my person, strengthen himself with my arms and ammunition, and then proceed to the plunder of Adona.

He is supported by 300 followers.

Intelligence of this having reached me, I remained on my guard at Adona.

The Governor, at the same time, sent out a hasty levy to put down the insurgent. These were beaten back, after a sharp skirmish, and arrived at Adona at midnight, when I was hurried away by the officials, barely carrying with me my money, ammunition, some clothes, and writing materials.

I am now lodged at Axum, whose church enjoys privileges of sanctuary, similar to those of mediæval Europe. My person is, therefore, safe; my property left behind is, I trust, equally so, being deposited in the church at Adona.

This movement has no political significance. The rebel in question, whose name is Sidj Cassa, is a mere robber. His father, Atto Goldja, was also a noted brigand, though of influential family. He was slain before Adona two years since, with two of his sons, while preparing an attack on the town, and his remains were contumeliously burned—a great insult in this country. The object of the surviving son is revenge and plunder. One of the causes which have laid this province open to so daring a defiance of authority, is King Theodore's having lately sent for the grandees of Tigré to pay him homage, who have drained the country of their military followers.

This result will, I hope, have one good effect, in showing His Majesty that he has much to do before he can meditate any but defensive foreign wars.

I have, &c.

(Signed) C. DUNCAN CAMERON.

No. 11.

Consul Cameron to Earl Russell.—(Received July 5.)

(Extract.) *Bogos, Abyssinia, March 31, 1863.*

WITH reference to my despatch of the 1st of January, I have the honour to state that King Theodore having sent one of his Generals to Tigre to break up the force of the brigand Cassa, the latter has been stripped of everything, and has taken refuge in the Turkish territory.

The road being thus once more rendered safe, as I had received a very doubtful reply from the Pasha of Cassala to my despatch pointing out to him the necessity of restraining the predatory incursions of the frontier Arabs on Abyssinia, I considered it my duty to proceed to Bogos, which, as well as the neighbouring country, has long been under our protection.

This was the more necessary as a number of the cattle of which the natives had been stripped in Mr. Plowden's time, and only a portion of which had been returned on his application to the Egyptian Government, still remained to be handed over, and the inhabit nts looked to me to see the work of my predecessor brought to a close.

As the fate of Cassa had not then been quite ascertained, and the recent disturbance in Tigre had raised many robber bands, who availed themselves of the confusion to plunder on their own account, I applied to the authorities, who furnished me with an escort of 5,000 men across the River Mareb.

The strength of the escort was regulated by their own fears, as the King had previously written to say that if anything happened to me he would reduce Tigre to a desert; and he would have kept his word.

After a stay of some days at Hamazeyn, where I had the satisfaction of settling a local feud which threatened to throw the whole Province into confusion, I proceeded to Bogos, where I found matters much in the state I had anticipated in the conclusion of my despatch of the 31st October.

The Shangallas under Egyptian rule had come down and swept away 300 head of cattle from there, and the Roman Catholic missionary Stella, who resides at Kerew, had gone to the Shangalla country to effect, if possible, their return. The remaining inhabitants had driven their flocks and herds into the mountains.

Within the last week the Shangallas have again been down, plundered twelve villages of their cattle, and killed nine of the inhabitants, leaving three more wounded.

A complaint has been made to me by a Chief of Barka that his brother, an undoubted Abyssinian subject, and a favourite of King Theodore's, has been carried away, and is now in prison at Cassala.

This on the Cassala side. On that of Massowah, the Naib of Arkeeko has given shelter to the brigand Cassa, and has been collecting tribute in every direction, while seven of the principal inhabitants of the Halhal have been tried by his Wakil, and sent to the Habab.

The country is in such confusion in consequence that a messenger whom I sent to the Wakil, begging him to be careful of not levying tribute on Abyssinian subjects, has been obliged to return.

A statement of these facts is being carried to King Theodore by his Representative here, who persists, with his master, in viewing the Turkish claim to the Bogos, Halhal, and Habab as illusory.

Whatever the claim in question may be worth, it only asserts a right to levy tribute, and makes no pretence either to furnish protection to the inhabitants, ameliorate their condition, or keep them in restraint.

I have written to King Theodore twice since my last despatches to the Foreign Office, once telling him that I had forwarded a letter to the Pasha of Cassala to insure tranquillity on his side, and that it was now a point of honour with His Majesty to do the same by his own Governors, and a second time, from here to-day, putting the best colour I can on facts which it is impossible for me to ignore, recommending him to establish a regular Government of some kind here, which can be easily kept in check by my *locum tenens* for Massowah, and telling him that I will go to Cassala myself, in order to settle everything there as far as possible.

My letters from Cassala assure me that I will have no difficulty in doing so, which I have also told the King, in order to prevent his making any hostile movement.

What effect the news from here may have on a character at once so passionate and politic, it is impossible for me to say. He may either allow his grievances to accumulate, in order to lay them before Europe hereafter, or at once take violent measures to compel the Turks to a certain amount of decency in their transactions on his frontier. He will, however, do nothing without seeing his way.

But for his having called away the principal nobles of Tigre, of which I before informed your Lordship, serious local hostilities would already have commenced, His Majesty having given orders to the Governor of Hamazeyn immediately to resent any aggression on the part of the Turks. I reported this in my despatch of the 22nd July last.

I have to-day written a letter to the Pasha of Massowah, in which, without entering on the vexed question as to what part of these provinces belongs to Abyssinia, what to Turkey, I have recommended him to keep a strict watch over his collectors of tribute, whose irregularities are great, and to set at liberty the Chiefs made prisoners by the Nayib's Wakil, unless he is quite sure that the Wakil was in the right, as all these matters may soon be laid before Europe, and it may tell mischievously for his country if he is proved in the wrong.

I have alluded to the rebel Cassa's being in his district; but left it to himself to act as he thinks most wise.

I shall proceed to Cassala as soon as I receive answers to my despatches of the 31st October.

I would leave at once, but that the country on that side, too, is unsettled, and the bearer of my next batch of letters might be killed or captured.

No. 12.

Consul Cameron to Earl Russell.—(Received August 28.)

My Lord, *Kadarif, May 20, 1863.*

I HAVE the honour to inclose your Lordship copies of four despatches of mine to our Consul-General at Alexandria. As the public service may require that you should be acquainted with some portions of their contents as soon as possible, I shall do myself the honour of reporting to your Lordship hereafter.

I have, &c.

(Signed) C. DUNCAN CAMERON.

Inclosure 1 in No. 12.

Consul Cameron to Consul-General Colquhoun.

Sir, *Kadarif, Soudan, May 20, 1863.*

I HAVE the honour to state that my late *locum tenens*, Mr. Walker, having left Massowah, I have requested a gentleman named Speedy to take his place.

His orders for the present are to communicate directly with Her Majesty's Consul at Jeddah, in any cases which may arise between himself and the Kaimakam of Massowah, and I would beg that if you approve of this arrangement you will as soon as possible inform Mr. Speedy of your approval. My experience has shown me that direct reference to Jeddah is the only way open of despatching the business of Massowah during my absence.

If you agree with me, he might be furnished with some document to the Turkish authorities which would give him an official standing in their eyes.

I have determined to return to Abyssinia by Matemma, in order to make myself acquainted with the state of affairs on that side of the Egyptian frontier. The confusion there seems as great as at Bogos, on the south-eastern side, whence I have just come. My object in coming to Soudan was to visit Cassala, whither the Roman Catholic priest Stella, who at present enjoys paramount influence at Bogos, had gone to reclaim certain cattle lately taken from the inhabitants of that country by the neighbouring tribes under Egypt; also to inquire what had been done in regard to the cattle and people swept away from thence by a former Pasha of Cassala, in 1854, and which on our representation to the Pashalic of Egypt that Government promised to restore. Finally, to do my utmost to prevent such irregular attacks for the future.

With regard to the first of these objects, you are aware that, during the late troubles in Abyssinia, Mr. Plowden assumed the protection of the tribes of Bogos and others in the neighbourhood: a step which, though I cannot refer to archives, I must suppose was known to, and not disapproved by, Her Majesty's Government.

I do not feel justified, without further instructions, in relinquishing an influence which has already done much to prevent the absorption of these friendless people into Islam,—to avert from them those more than material evils that everywhere follow Mussulman predominance on this unhappy continent, and which may be of political importance to us hereafter.

Taking this view, and finding that Père Stella's application had been neglected by the Pasha of Soudan, who was then at Cassala, I have written the latter the inclosed letter, informing him that I still consider Bogos under British protection, and that if he cannot or will not return the cattle in question before the end of August, Mr. Speedy is directed to forward to you a detailed report on the subject, with a statement of the value of the property taken, when it will rest with others, according to the character of the report, to decide whether to press the matter or not.

I have taken this ground because I expect it will be alleged that there have been counter-aggressions on the Abyssinian side, and that these must be settled before the claims of the Bogos people can be met. To which it may be replied, that whatever may have been done by others, the people of the protected provinces have never been accused of aggression. They are, in fact, too weak to protect themselves. There may be other excuses which Mr. Speedy's report will explain.

The fact is, the Egyptian Government is totally indifferent on the subject, and cares little if its frontier people plunder or are plundered, as long as they pay their tribute. The best way to rouse it to a sense of its responsibility would be to make a money claim on behalf of these protected tribes. If it only had the effect of preventing further irritation of King Theodore until the return of his Embassies from Europe, the advantages of such a step would be great.

In regard to future aggressions on the protected provinces from the Egpytian side, I have directed Mr. Speedy to remonstrate strongly in every case, and to assess property taken, as he has been ordered to do in the present instance, forwarding the assessment to you: whether urged or not, such documents may be useful for reference hereafter.

As regards the Abyssinian side, I have done my best to impress on King Theodore the necessity of restraining these aimless and unauthorized expeditions, and shown him how mischievous they may be to his cause.

I have not hitherto been without success, and will continue the same course as I have opportunity.

As regards the second object I had in view, viz., the claims of the people of Bogos, for the individuals and cattle taken in 1854, the case is clear, and may easily be gathered from my predecessor's letters lodged in your archives.

A Pasha of Cassala inflamed by fanaticism, and who makes no secret that Islam ought to be advanced by the sword, falls upon an inoffensive Christian people under our protection, carries into slavery 350 men, women and children, and distributes among his followers 1,800 head of cattle, besides goats and sheep.

His Government, on the report of our Representative here, repudiates such barbarity. The people taken are subsequently returned. In the mean time, our Representative leaves for the interior, and never returns. The local authorities, profiting by the want of pressure from without, have delayed the return of the cattle to this day. Having formally taken this matter over on the part of the people of Bogos, my course is plain. I will have nothing to do with the local authorities, who are of a stamp to throw disgrace on any Power pretending to the slightest civilization; nor will I have anything to do with payment in cattle, which may delay all settlement indefinitely.

Taking Mr. Plowden's statement as a base, I have assessed the value of 1,800 head of cattle at the Bogos price, with the average loss to their former proprietors, from the date when they were taken to the present time. I annex the assessment to this despatch to be dealt with as you may think proper.

In regard to my third object, viz., the using my official influence to prevent further aggression, I would beg to state that I have already seen several of the frontier Chiefs between this and Bogos, and remonstrated with them on their lawlessness, explaining to them that they may be made to return what they have taken from Abyssinia; and have at the same time spoken or written to various authorities here on the subject, and I shall continue doing this until I re-enter Abyssinia.

I have also requested Mr. Speedy on his way to Massowah, to visit as many Chiefs as possible formally in my name with the same object.

He has further orders to consider the *statu quo* of the hitherto protected provinces when Mr. Plowden left them as the true one, until further instructions from you, and taking it for granted that they belong to Abyssinia, who levies tribute from them, to remonstrate strongly against any double levying of tribute on the part of the Turks of Massowah, and he is directed in this case likewise to

assess the amount of tribute taken by the Turks from the time of Mr. Plowden's leaving, until now, for lodgment in your archives in the event of its being thought necessary to press repayment.

I have informed the Kaimakam of Massowah of this, so that if he chooses to act as he has hitherto done on this point, he will at least be doing so with a knowledge of possible consequences.

I have, &c.
(Signed) C. DUNCAN CAMERON.

Inclosure 2 in No. 12.

Consul Cameron to the Pasha of Soudan.

Excellence, *Kadarif, Soudan, le* 19 *Mai,* 1863.

PERMETTEZ-MOI d'abord d'exprimer mes regrets que je n'ai pas eu le plaisir de vous trouver à Cassala.

Mon but principal en visitant le Soudan était de consulter avec les autorités ici, afin qu'ils fassent cesser les incursions féroces des peuplades sur la frontière Abyssinienne, qui vous payent de tribut, et qui se jettent sur l'Abyssinie pour piller et tuer les Abyssins dans leur voisinage.

Personne ne sait mieux que votre Excellence que les vrais intérêts aussi bien que la réputation du Gouvernement Egyptien souffrent par ces incursions irrégulières. Ils souffriront encore plus si de tels faits sont publiés en Europe.

J'espère donc que vous prendrez des mesures sévères pour restreindre autant que possible les brigandages, pendant que, de ma part, je ferai mon mieux à mon retour chez le Roi Théodore, pour les empêcher de l'autre côté, comme en effet j'ai fait déjà, et avec quelque succès.

Il y a encore un point sur lequel je me fais l'honneur d'écrire à votre Excellence. Quelques semaines avant mon arrivée à Bogos, les gens de Bisha et des Bareas assujettis à l'Egypte ont enlevés 300 vaches des gens de Bogos.

Les gens de Bogos ont été sous notre protection spéciale pendant les guerres civiles que déclaraient l'Abyssinie jusqu'à l'élévation du Roi actuel au Trône, et quoique Sa Majesté est aujourd'hui assez puissant pour garder ses propres domaines, l'amitié qui existe entre mon Gouvernement et la vôtre, aussi bien que les liens qui nous attachent à l'Abyssinie, me justifient dans ce cas-çi en vous priant de faire payer ces vaches à mon aide, M. Speedy, qui restera à Bogos jusqu'au fin d'Août pour les recevoir. S'il n'a pas une réponse avant ce tems-là il a des ordres à faire un rapport spécial à Alexandrie, accompagné par une schedule répresentant le valeur en argent des vaches volées des gens de Bogos, afin que mes supérieurs décident s'ils ne doivent pas être remboursé par votre Gouvernement.

Il faut s'en souvenir sur ce point que les tribus de Bogos sont parmi les plus inoffensifs de l'Afrique; mais s'ils ne l'étaient pas, je ne peux pas croire qu'un pays comme le vôtre voudrait encourager un système de brigandage, qui ne fait qu'empêcher l'établissement d'une entente cordiale entre les deux nations.

M. Speedy a des ordres à visiter les Chefs, ou Egyptiens ou Abyssins, qui se trouvent entre ici et Massowah, afin de les conseiller de cesser à attaquer l'un l'autre.

J'ai prié à votre Wakil à Cassala de lui fournir un officier quelconque pour le supporter dans ces efforts amicales.

Mais j'espère bien que vous agirez fortement aussi; comme je vous ai déjà promis de faire de ma part.

J'ai, &c.
(Signé) C. DUNCAN CAMERON.

Inclosure 3 in No. 12.

ASSESSMENT of Value, in Maria-Theresa dollars, of Cattle due by the Egyptian Government to the Inhabitants of Bogos, in lieu of those plundered by the troops of Cassala, on the 23rd February, 1854; with estimate of loss to proprietors in consequence of non-payment from that date to the present.

Number.	Description.	Average Price in Maria-Theresa dollars.	Total of Price.
1,800	Oxen and cows	3 per head.	5,400
	Estimated loss in increase, &c., allowing for casualties ..	2 „	3,600
		Grand total ..	9,000

I hereby certify that I have carefully investigated the above claim, that I believe the number of cattle to be approximately correct, and that the estimated loss has been expressly fixed by me at a lower rate than the truth.

Kadarif, Soudan, May 20, 1863.

(Signed) C. DUNCAN CAMERON,
Her Britannic Majesty's Consul, Massowah.

Inclosure 4 in No. 12.

Consul Cameron to Consul-General Colquhoun.

Sir, *Kadarif, Soudan, May* 20, 1863.

WITH reference to my despatch of this day's date, stating that Mr. Speedy is directed to go down to Massowah, visiting as many native Chiefs on his way as he can, I would beg to mention that he has expressed a desire to open friendly relations with the tribes called indiscriminately "Barea," "Basa," and "Shangalla."

The service is not quite safe, but I have left it to himself, and placed some articles at his disposal as ransom for any Abyssinian slaves he may meet there, presents, &c.

Mr. Speedy in a late shooting excursion penetrated further among the adjoining tribes than any European has hitherto done, and I have no doubt that the report on the tribes of the Egyptian frontier which he has been directed to draw up will be replete with interest.

One of the most advantageous results of his succeeding in establishing a friendship with this people will be the checking of the Slave Trade, which they carry on in Abyssinian Christians; an object which, in accordance with instructions issued to my predecessor, may be possibly hereafter effectually arrested by Treaty.

Another advantage will be that a communication will have been opened with these tribes, in the event of the settling of the Egyptian and Abyssinian frontiers, in which they form a third and most important party, being forced upon our consideration. In regard to the Traffic in Slaves, I would beg to draw your attention to Mr. Plowden's despatch to you of the 19th of October, 1855, and his suggestion that the Pasha of Egypt should be urged to cause all the Christian Abyssinians in Soudan to be sent back to their country as an act of grace. If we could effect this, I know nothing that would give a stronger idea alike of our good will and the benefit which may be derived from it, on both which points I think that King Theodore is inclined to doubt. As regards the Baza, I may add that they inhabit the country to the north-west of Tigre, on which they are continually making inroads. They are plundered of what is called tribute in these countries by both Egypt and Abyssinia, but never without fierce resistance.

They acknowledge no master, nor could they be induced to submit to either of their more powerful neighbours by any diplomatic intervention.

They are a handsome race, with long crispy hair; admirable warriors; republican in their form of government; simple and austere in domestic life; and in their political, singularly honest and true to their word.

They are said to muster only 6,000 spears, and preserve their independence without the aid of guns or horses, neither of which they possess.

I have, &c.

(Signed) C. DUNCAN CAMERON.

Inclosure 5 in No. 12.

Consul Cameron to Consul-General Colquhoun.

(Extract.) *Kadarif, Soudan, May* 20, 1863.

YOU will have gathered from my despatches of this day's date that Mr. Speedy will not be fixed at Massowah during my absence.

The fact is, that the affairs of the Abyssinian frontier have fallen into confusion, principally in consequence of Mr. Plowden's agent at Massowah being of necessity tied to the spot for the transmission of letters, money, &c.

My communications are at present kept up through one of the King's interpreters, whom I sent down to bring the answers to my despatches of the 31st of October last.

It will give you an idea of the slowness with which my Government correspondence is carried on, when I state that I do not yet know whether those letters have reached England or not, yet I have received a packet from Massowah to-day.

No. 13.

Earl Russell to Consul Cameron.

Sir, *Foreign Office, September* 8, 1863.

I HAVE received from Her Majesty's Agent and Consul-General in Egypt your despatches of the 20th May last; and I have to state to you that Her Majesty's Government do not approve your proceedings in Abyssinia, nor your suggestions founded upon them.

I have only to desire that you will abstain from all interference in the internal affairs of that country, and that you will remain at your post at Massowah, whither you were ordered by my despatch of the 22nd of April last to return and reside.

I am, &c.

(Signed) RUSSELL.

No. 14.

Earl Russell to Colonel Stanton.

Sir, *Foreign Office, October* 5, 1865.

ALTHOUGH it is too late to give you any directions for the guidance of Mr. Rassam beyond those which I have already transmitted by telegraph, it may be useful, in order to prevent misconceptions, that I should enable you to state upon any proper occasion what has been and is the policy of the British Government regarding Abyssinia.

It should be borne in mind that Abyssinia is composed of several distinct provinces, some of which are separated from each other by lofty mountains and by rivers which are impassable during a portion of the year.

Hence these different provinces have often been ruled by separate Princes or Chiefs ("Dedjatch") independent of each other.

In 1841, Captain Harris was sent from Bombay to the King of Shoa, with whom he concluded a Treaty of Friendship and Commerce, on the 16th November, 1841.

In the same year the Ruler of Tigre, Ras Oobeay, or Ubie, called Ras of Abyssinia, sent Mr. Coffin, an English traveller, with a letter and presents for Her Majesty.

On Mr. Coffin's arrival at Cairo, he was informed, through Colonel Barnett, in

December 1841, by direction of Lord Aberdeen, that he need not proceed further on his journey to England, and that he might deliver to Colonel Barnett any letter with which he was charged.

Mr. Coffin accordingly delivered the letter from Ras Ubie (together with presents) to Colonel Barnett, who sent the letter to England, but it cannot be ascertained whether the presents were also sent, the only allusion to them being found in a despatch from Colonel Barnett, dated September 19, 1841, in which he says they were still with Mr. Coffin at Cairo.

No reply, however, was returned to this letter, and Ras Ubie was thereupon so angry that he threatened violence to Mr. Coffin for not bringing him a return present from the Queen.

In January 1848, Lord Palmerston, with a view to establish commercial relations with Abyssinia, appointed Mr. Plowden Consul for that country, and directed him to reside at Massowah.

Mr. Plowden was informed in his letter of appointment, that he was sent to Massowah for the protection of British trade with Abyssinia and the countries adjacent thereto.

Consul Plowden proceeded to Gondar, and concluded a Treaty of Friendship and Commerce with Ras Ali, on the 2nd November, 1849.

By this Treaty it was provided that His Majesty of Abyssinia would receive an Ambassador from Her Britannic Majesty, and "Her Britannic Majesty would, in the same manner, receive and protect any Ambassador, Envoy, or Consul whom His Majesty of Abyssinia, or his successors, might see fit to appoint."

But in 1854 Ras Ali was overthrown by one of his sons-in-law, who induced the Coptic Bishop to crown him Emperor of Abyssinia. This person was the present Emperor Theodore, who, so far from insisting on the observance of the Treaty of 1849, refused altogether to recognize that Treaty.

Consul Plowden was told by the British Government in 1857 that the Emperor was bound in good faith to recognize that Treaty, and that if he objected to any of its provisions he should propose modifications.

But from the triumph of the Emperor Theodore in 1856 to the present day the Treaty has been a dead letter.

It may be argued that the British Government ought to have insisted on the validity of the Treaty on the one hand, and to have protected the Emperor of Abyssinia from the Turks, on the other.

But considering the short tenure of power in the Abyssinian Kings, whatever be their title, the difficulty of reaching with a regular British force their seats of Empire, and the little value of a victory gained at Gondar and Shoa, the risk of failure, and the certainty of expense, it has seemed to the British Government a preferable course to withdraw, as much as possible, from Abyssinian engagements, Abyssinian alliances, and British interference in Abyssinia.

This course, however, has not been taken without giving rise to groundless reproaches, many unfounded allegations, and some embarrassing and painful occurrences.

Of the former class is the following bold assertion, namely :—

"There is reason for believing that the Emperor Theodore holds Captain Cameron as a hostage for the recognition by England, already made in 1849, of the independence of Abyssinia, for the suppression of Egyptian aggressions along the frontier, and for the restitution of the church and convent at Jerusalem, torn from him and his people by the Copts, Armenians, and Turks."

Now with respect to the recognition of the independence of Abyssinia in 1849, it has been seen that it was England that asked for the recognition of the Treaty of 1849, and the Emperor Theodore who refused it. But the recognition of the independence of Abyssinia has never been withdrawn by England.

As to the suppression of Egyptian aggressions along the frontier, England has from time to time used her influence to prevent such aggressions, but will not consent to guarantee the integrity of the Abyssinian territory.

Such a guarantee would be, in the opinion of Her Majesty's Government, an unwise engagement—impracticable in execution.

The restitution of the church and convent of Jerusalem is a matter which requires some further explanation.

Any one who follows with attention the proceedings of the Turkish Government in the various provinces under its direct rule, must be aware that the Christian sects, subjects of the Ottoman Porte, frequently persecute one another, and that the Sultan is often

appealed to to rescue individuals and communities from the maltreatment or cruelty of their fellow-Christians.

Her Majesty's Ambassador at the Sublime Porte uses his good offices on such occasions, and generally with success.

In July 1852, Lord Malmesbury was appealed to by Bishop Gobat, of Jerusalem, in behalf of Ras Ali and Dedjatch Oobeay, who had adopted at a meeting at Gondar a resolution to the effect—

"That Her Majesty should be requested to authorize you (the Bishop) to protect and superintend their countrymen visiting or residing in Jerusalem, and to authorize the British Agent residing at Jerusalem to lend you (the Bishop) his assistance for that purpose when required."

Lord Malmesbury's answer to this request was very clear and decisive—

"I have to state to you, in reply, that *Her Majesty's Government cannot undertake to protect officially the natives of Abyssinia who may chance to be residing in the territory of the Sublime Porte.* But Her Majesty's Consul at Jerusalem will be instructed to use his good offices for them, in case of need, as members of a Christian Church in spiritual communion with the Established Church in this country."

You will see that the Earl of Malmesbury distinctly refused "to protect officially the natives of Abyssinia who may chance to be residing in the territory of the Sublime Porte."

You will observe also that the good offices to be employed in their favour were intended for the benefit of those "who might chance to be residing in the territory of the Sublime Porte." Thus a distinction was made between those who might resort occasionally or casually to Jerusalem and the inhabitants of Jerusalem of Abyssinian origin, who might be accounted Turkish subjects.

Thus limited, both as to the extent of the protection to be afforded and as to the classes of persons on whose behalf good offices were to be exercised, the instruction of the Earl of Malmesbury must be allowed to have been proper and judicious. Accordingly I referred Consul Finn, on May 29, 1862, to those instructions of 1852, observing, "I have nothing to add to those instructions, except to enjoin you to act upon them with caution and prudence."

Those instructions remain still in force.

Coming now to the imprisonment of Consul Cameron, it appears from the papers presented to Parliament that after he had conveyed my letter, written by order of the Queen, and some few presents to the Emperor of Abyssinia, he went to the country of Bogos, where he employed himself in reconciling some rival Chiefs, sending on the Emperor's letter to the Queen to Massowah by the Abyssinian messenger.

It appears, further, that the chief cause of the Emperor's anger with Consul Cameron was this journey to Bogos, coupled with the Emperor's suspicion that Consul Cameron had intrigued to set the Turks and Egyptians of the frontier against him, and aggravated in some degree by the return of Consul Cameron to Gondar without any answer to the Emperor's letter to the Queen.

It appears from King Theodore's letter to Mr, Rassam, sent home by that gentleman in his letter of the 5th of September, that the King alleges that Captain Cameron "abused and denounced him as a murderer," in consequence of the vengeance which he took on the persons who killed Consul Plowden and Mr. Bell, and that when he had treated him well and asked him to make him (the King) a friend of the Queen, Captain Cameron "went and stayed some time with the Turks, and returned to me (the King);" and further, that when the King spoke to Captain Cameron about the letter sent by him to the Queen, he said he had not received any intelligence concerning it.

There is no reason to suppose that Consul Cameron incited the Egyptian forces on the frontier to commit aggressions on the territory of Abyssinia. It is far more probable that the enemies of the British name in Abyssinia should have infused unjust suspicions into the mind of the Emperor. But certainly Captain Cameron, in going to Bogos, acted without orders, and incurred the displeasure of his own Government.

It is now to be hoped that Mr. Rassam's explanation will procure for Captain Cameron permission to leave Abyssinia. He will be employed hereafter in a different part of the world, and will never have occasion to return to Abyssinia.

I have thus explained to you that the policy of the British Government has been founded entirely on the desire to promote trade and intercourse with Abyssinia.

I am well aware that there are persons who wish Her Majesty's Government to interfere in behalf of Abyssinia, as a Christian country, against Turkey and Egypt, as Mahomedan countries.

But this policy has never been adopted by the British Government, and, I trust, never will be.

If we were to make ourselves the protectors of the Emperor Theodore against the Sultan and his Viceroy of Egypt, we should become responsible for his acts, and be entangled in his quarrels with all his neighbours and rivals.

The obligations of the British Government are various enough and heavy enough, without undertaking so costly, hazardous, and unprofitable a protectorate.

I am, &c.

(Signed) RUSSELL.

ABYSSINIA.

Further Correspondence respecting the British Captives in Abyssinia.

Presented to the House of Commons by Command of Her Majesty, in pursuance of their Address dated August 3, 1866.

LONDON:
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NORTH AMERICA. No. 1. (1866.)

CORRESPONDENCE

RESPECTING

THE "SHENANDOAH."

Presented to both Houses of Parliament by Command of Her Majesty.
1866.

LONDON:
PRINTED BY HARRISON AND SONS.

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Correspondence respecting the "Shenandoah."

No. 1.

Mr. Adams to Earl Russell.—(Received April 8.)

My Lord, *Legation of the United States, London, April 7, 1865.*

I HAVE the honour to transmit to you a copy of a letter addressed to the Secretary of State at Washington by the Consul of the United States at Rio Janeiro, Mr. Monroe, making a report of the depredations committed upon the commerce of the United States by the vessel known in the port of London as the "Sea King," but since transformed into the "Shenandoah" by a process already fully explained in a note which I had the honour to address to your Lordship on the 18th November last.

I regret to be obliged to add that this same vessel has been, since the date of Mr. Monroe's letter, heard of at Melbourne, from which place further details of similar outrages have been received. The particulars have been communicated to my Government, but there has not yet been sufficient time for me to obtain its instructions in regard to them. I cannot doubt, however, that they will be the same in substance as those embraced in the last despatch.

Were there any reasons to believe that the operations carried on in the ports of Her Majesty's Kingdom and its dependencies to maintain and extend this systematic depredation upon the commerce of a friendly people had been materially relaxed or prevented, I should not be under the painful necessity of announcing to your Lordship the fact that my Government cannot avoid entailing upon the Government of Great Britain the responsibility for this damage. It is impossible to be insensible to the injury that may yet be impending from the part which the British steamer "City of Richmond" has had in being suffered to transport with impunity from the port of London men and supplies, to place them on board of the French-built steam-ram "Olinthe," alias "Stoerkodder," alias "Stonewall," which has through a continuously fraudulent process succeeded in deluding several Governments of Europe, and in escaping from this hemisphere on its errand of mischief in the other.

I am by no means insensible to the efforts which have already been made, and are yet making, by Her Majesty's Government to put a stop to such outrages in this kingdom and its dependencies. Neither can I permit myself to doubt the favourable disposition of her Ministers to maintain amicable relations with the Government which I represent.

Whilst perfectly ready to bear testimony to the promptness with which all the numerous remonstrances and representations which it has been my painful duty heretofore to submit have been met and attended to by your Lordship, it is, at the same time, impossible for me to dispute the fact that the hostile policy which it is the object of all this labour to prevent has not only not been checked, but is even now going into execution with more and more complete success.

That policy, I trust I need not point out to your Lordship, is substantially the destruction of the whole mercantile navigation belonging to the people of the United States. The nature of the process by which this is coming about may readily be appreciated by a brief examination of the Returns of the registered tonnage of Her Majesty's Kingdom for the last six years. I have the honour to append to this note a tabular statement of the number of merchant-ships built, and of the tonnage owned in the United States, which have been transferred to British owners in the successive years beginning with 1858 and ending in 1864, so far as the materials at hand from the official reports of the two Governments can supply the information.

I trust that it will be needless for me to do more than to point out to your Lordship the inference deducible from this statement, to wit:—That the United States' commerce is

rapidly vanishing from the face of the ocean, and that that of Great Britain is multiplying in nearly the same ratio. Furthermore, it is my painful duty to suggest that this process is going on by reason of the action of British subjects, in co-operation with emissaries of the insurgents, who have supplied from the ports of Her Majesty's Kingdom all the materials, such as vessels, armament, supplies, and men, indispensable to the effective prosecution of this result on the ocean. So far as I am aware, not a single vessel has been engaged in these depredations excepting such as have been so furnished. Unless, indeed, I might except one or two passenger steamers belonging to persons in New York, forcibly taken possession of whilst at Charleston in the beginning of the war, feebly armed and very quickly rendered useless for any aggressive purpose. It may then, on the face of this evidence, be fairly assumed as true that Great Britain, as a national Power, is in point of fact fast acquiring the entire maritime commerce of the United States by reason of the acts of a portion of Her Majesty's subjects engaged in carrying on war against them on the ocean during a time of peace between the two countries. I deeply regret to be constrained to add that every well-meant effort of Her Majesty's Government to put a stop to this extraordinary state of things down to this time has proved almost entirely fruitless.

I would most respectfully invite your Lordship to produce in the history of the world a parallel case to this of endurance of one nation of injury done to it by another, without bringing on the gravest of complications. That in this case no such event has followed, has been owing, in the main, to a full conviction that Her Majesty's Government has never been animated by any aggressive disposition towards the United States; but, on the contrary, that it has steadily endeavoured to discountenance and, in a measure, to check the injurious and malevolent operations of many of her subjects. But whilst anxious to do full justice to the amicable intentions of Her Majesty's Ministers, and on that account to forbear from recourse to any but the most friendly and earnest appeals to reason and to their sense of justice for the rectification of these wrongs, it is impossible to resist the conviction that heretofore their measures, however well intended, have never proved effective to remedy the evil complained of. Prompt to acquit them of any design, I am reluctantly compelled to acknowledge the belief that practically this evil had its origin in the first step taken, which never can be regarded by my Government in any other light than as precipitate, of acknowledging persons as a belligerent Power on the ocean before they had a single vessel of their own to show floating upon it. The result of that proceeding has been that the Power in question, so far as it can be entitled to the name of a belligerent on the ocean at all, was actually created in consequence of the recognition, and not before; and all that it has subsequently attained of such a position has been through the labour of the subjects of the very country which gave it the shelter of that title in advance. Neither is the whole case stated even now. The results equally show that the ability to continue these operations with success during the whole term of four years that the war has continued, has been exclusively owing to the opportunity to make use of this granted right of a belligerent in the Courts and the ports and harbours of the very Power that furnished the elements of its existence in the outset. In other words, the Kingdom of Great Britain cannot but be regarded by the Government I have the honour to represent as not only having given birth to this naval belligerent, but also as having nursed and maintained it to the present hour.

In view of all these circumstances I am instructed, whilst insisting on the protest heretofore solemnly entered against that proceeding, further respectfully to represent to your Lordship that, in the opinion of my Government, the grounds on which Her Majesty's Government have rested their defence against the responsibility incurred in the manner hereinbefore stated, for the evils that have followed, however strong they might have heretofore been considered, have now failed by a practical reduction of all the ports heretofore temporarily held by the insurgents. Hence the President looks with confidence to Her Majesty's Government for an early and an effectual removal of all existing causes of complaint on this score whereby the foreign commerce of the United States may be again placed in a situation to enjoy the rights to which it is entitled on the ocean in peace and safety, free from annoyance from the injurious acts of any of Her Majesty's subjects, perpetrated under the semblance of belligerent rights.

I am further instructed to invite the attention of your Lordship to another subject in this immediate connection. From the beginning of this war the armed vessels of Her Majesty have continued to enjoy full and free pratique in the waters of the United States. They have been welcomed in just the same friendly manner as has been heretofore customary when there was no exclusion of the same class of ships of the United States from the waters of Great Britain. It is the opinion of the President that the time has come when it may be asked, not only with strict right, but also with entire comity, when the reciprocity in these hospitalities is to be restored. It is the expectation that the naval

force of the United States in European waters will be augmented on or about the beginning of next month, when this question may become one of some interest. I am therefore directed to solicit information from your Lordship as to the reception which those vessels may expect in the ports of this kingdom.

I pray, &c.
(Signed) CHARLES FRANCIS ADAMS.

Inclosure 1 in No. 1.

Mr. Monroe to Mr. Seward.

Consulate of the United States, Rio de Janeiro,
November 29, 1864.

Sir,

I AM pained to be compelled to report to the Department that a new piratical steamer called the "Shenandoah," commanded by James W. Waddell, is engaged in destroying our merchant vessels near the Equator, on the highway of communication between the United States and the ports of South America. The facts presented below were obtained in part from protests recorded at this office by the masters of the "Alina" and the "D. Godfroy," and in part from statements published in the Brazilian newspapers, and believed to be reliable.

The barque "Alina," Staples master, of 573 tons burden, sailed from Newport, England, on the 6th October, with a cargo of railroad iron, bound for Buenos Ayres. Having reached latitude 16° 40′ north and longitude 26° 45′ west, she was captured and sunk on the 29th October by the "Shenandoah." The schooner "Charter Oak," from Boston, bound for San Francisco, was captured and destroyed by the same pirate on the 5th of November in latitude 7° north, longitude 27° 3′ west.

On the 7th November the barque "D. Godfroy," Hallett master, from Boston, of 300 tons burden, bound for Valparaiso with general cargo, was captured and burnt by the "Shenandoah" in latitude 6° 25′ north and longitude 27° 15′ west. On the 10th of November, in latitude 4° 30′ north and longitude 26° 40′ west, the brig "Susan" of New York, bound from Cardiff to Rio Grande, was also destroyed by the same steamer.

On the 12th November the "Shenandoah" captured the ship "Kate Prince" of 995 tons burden, Libbey master. The "Kate Prince" belongs in Portsmouth, New Hampshire, and was on her passage from Cardiff to Bahia with a cargo of coal. She was captured in latitude 2° 30′ north and longitude 28° 30′ west, and having been compelled to give bonds in the sum of 40,000 dollars was allowed to continue her voyage. These five vessels were all American. The officers and crews were at first transferred to the "Shenandoah;" afterwards, as opportunity offered, a part were sent to Bahia on the "Kate Prince," a part to this port on the Danish brig "Anna Jans," from New York, and the rest, so far as heard from, had been retained on the "Shenandoah;" of these last, some by threat and promises had been induced to engage in the piratical service.

In another instance a vessel not under our flag narrowly escaped destruction. The Argentine barque "Adelaide," Williams master, bound from Baltimore to this city, was boarded by officers of the "Shenandoah" on the 12th November in latitude 1° 46′ and longitude 29° west. The "Adelaide" was consigned to Phipps, Brothers, and Co., of this city. It was at first decided to burn her, and straw and tar had been brought for this object: this purpose, however, was finally abandoned, and the pirates after having opened letters, destroyed furniture, and committed other outrages, retired on board the "Shenandoah," carrying a part of the provisions of the barque with them. Captain Williams states that the commander of the "Shenandoah" declared he would hereafter burn all cargoes belonging to American owners, by whatever flag they might be covered.

The following statement in regard to the "Shenandoah" is made by ship-masters who have been prisoners on board of her:—

"The 'Shenandoah' is a steamship of 1,100 tons burdens and 250 horse-power. She carries a battery of four 68-pounders and two 12-pounders, all smooth bore, and two 32-pounders, rifled.

"She was formerly called the 'Sea King,' and belonged to the Steam Company trading between London and Bombay and Calcutta. She was built by Stevens and Sons of Glasgow, in 1863, and makes eleven miles an hour. She has forty-three men, nearly all English, besides the officers. She cleared from London for Bombay in September of this year."

On the 27th instant the "Anna Jans" brought into this port the following officers

and seamen of the "Alina" and "D. Godfroy," who, being in a very destitute condition, applied to this Consulate for assistance:—

From the "Alina"—Everett Staples, master; J. F. Peterson, first officer; M. H. Staples, second officer; G. A. Stinson, seaman.

From the "D. Godfroy"—Samuel W. Hallett, master; R. L. Taylor, first officer; Chas. F. Brown, second officer; Joseph James, seaman.

I offered assistance to the officers simply as seamen, in accordance with section 211 of my instructions.

As this despatch will be retained until the sailing of the English packet on the 9th of December, it will be supplemented by any further information which I may obtain in regard to the movements of the "Shenandoah."

I have, &c.
(Signed) JAMES MONROE.

P. S., *December* 8.—I have no further information in regard to the "Shenandoah."
J. M.

Inclosure 2 in No. 1.

STATEMENT of American Vessels sold to British Subjects, from 1858 to 1864, inclusive.

Year.	United States' Official Report.		British Official Report.	
	Number of Vessels.	Tonnage.	Number of Vessels.	Tonnage.
Before the War.				
1858	33	12,684	—	—
1859	49	21,308	—	—
1860	41	13,683	Not given.	11,716
	123	47,675	..	11,716
During the War.				
1861	126	71,673	Not given.	66,757
1862	135	64,578	,,	59,103
1863	348	252,379	608	328,665
1864	106	92,052	—	—
	715	480,682	608	454,525

No. 2.

Earl Russell to Mr. Adams.

Sir, *Foreign Office, May* 4, 1865.

I HAVE had the honour to receive your note of the 7th of April, forwarding a copy of a letter addressed by the Consul of the United States at Rio de Janeiro to his Government, upon the proceedings of a vessel called the "Sea King," or "Shenandoah," which vessel you state has since been heard of at Melbourne, whence details have been received of outrages committed by her on the commerce of the United States. You then proceed to say, "Were there any reasons to believe that the operations carried on in the ports of Her Majesty's kingdom and its dependencies to maintain and extend this systematic depredation upon the commerce of a friendly people had been materially relaxed or prevented," you would not have had to announce to me "the fact that your Government cannot avoid entailing upon the Government of Great Britain the responsibility for this damage."

A British steamer, the "City of Richmond," is next alluded to as having been allowed to take supplies from the port of London, and to place them on board a French-built steam-ram, known as the "Stonewall," and you found, upon the circumstances to which you have thus alluded, a charge against Great Britain, of not only not checking improper depredations on United States' commerce, but of aiming at the destruction of the whole mercantile navigation belonging to the people of the United States; and while giving credit to Her Majesty's Government

for endeavouring to check illicit proceedings of British subjects, you allege that the measures adopted in this respect by Her Majesty's Government have never proved effective, and that the evil of which you complain has its origin in the fact that Her Majesty's Government recognized the persons in arms against the United States as belligerents, and thereby improperly gave them a status which has led to a long continuance of hostilities; but as the ports held by them have fallen into the power of the United States, the President looked with confidence to a removal by Her Majesty's Government of this ground of complaint.

You conclude by expressing a hope that the ships of war of the United States will be welcomed in British waters in the same friendly manner as has been heretofore customary.

Allow me to observe, in the first place, that I can never admit that the duties of Great Britain towards the United States are to be measured by the losses which the trade and commerce of the United States may have sustained. The question is not what losses the United States have sustained by the war, but whether in difficult and extraordinary circumstances the Government of Her Majesty have performed faithfully and honestly the duties which international law and their own municipal law imposed upon them.

Let me remind you that when the civil war in America broke out so suddenly, so violently, and so extensively, that event, in the preparation of which Great Britain had no share, caused nothing but detriment and injury to Her Majesty's subjects. Great Britain had previously carried on a large commerce with the Southern States of the Union, and had procured there the staple which furnished materials for the industry of millions of her people.

Had there been no war the existing Treaties with the United States would have secured the continuance of a commerce mutually advantageous and desirable. But what was the first act of the President of the United States? He proclaimed on the 19th of April, 1861, the blockade of the ports of seven States of the Union. But he could lawfully interrupt the trade of neutrals with the Southern States upon one ground only, namely, that the Southern States were carrying on war against the Government of the United States; in other words, that they were belligerents.

Her Majesty's Government, on hearing of these events, had only two courses to pursue, namely, that of acknowledging the blockade, and proclaiming the neutrality of Her Majesty, or that of refusing to acknowledge the blockade, and insisting upon the rights of Her Majesty's subjects to trade with the ports of the South.

Her Majesty's Government pursued the former course as at once the most just and the most friendly to the United States.

It is obvious, indeed, that the course of treating the vessels of the Southern States as piratical vessels, and their crews as pirates, would have been to renounce the character of neutrals, and to take part in the war. Nay, it would have been doing more than the United States themselves, who have never treated the prisoners they have made, either by land or sea, as rebels and pirates, but as prisoners of war, to be detained until regularly exchanged.

So much as to the step which you say your Government can never regard "as otherwise than precipitate" of acknowledging the Southern States as belligerents.

It was, on the contrary, your own Government which, in assuming the belligerent right of blockade, recognized the Southern States as belligerents. Had they not been belligerents, the armed ships of the United States would have had no right to stop a single British ship upon the high seas.

The next complaint (often repeated, I must admit), is, that vessels built in British ports, and afterwards equipped with an armament sent from the British coast, have injured, and, according to your account, almost destroyed, the mercantile marine of the United States.

Now, the only question that can be put on this subject is, whether Great Britain has performed faithfully the duties incumbent upon her. I must here ask you to recollect that our Foreign Enlistment Act, as well as your Foreign Enlistment Act, requires proof that the vessel has been or is about to be equipped or armed within our dominions for the purpose of assisting a State or a body of men making war on a State in amity with Her Majesty. In the case of the "Alabama," which is always referred to as affording the strongest ground of complaint against Her Majesty's Government, the papers affording evidence of a design to equip the ship for the Confederate service were furnished to me by you on the 22nd, and more

completely on the 24th of July, 1862. They were reported upon by the Law Officers on the 29th of that month. But on that very morning the "Alabama" was taken to sea on the false pretence of a trial trip.

I contend that in that case, as in all others, Her Majesty's Government faithfully performed their obligations as neutrals. It must be recollected that the Foreign Enlistment Act, though passed in the year 1819, had never been actually put in force, and that it is still doubtful whether the evidence furnished by you on the 22nd and 24th of July, though it was deemed a sufficient ground for detaining the "Alabama," would have been found sufficient to procure a conviction from a jury, or even a charge in favour of condemnation of the vessel from a Judge. Again, I repeat, the whole question resolves itself into this, whether the British Government faithfully and conscientiously performed their duties as neutrals, or whether they, from any motives whatever, were guilty of a grave neglect of those duties.

Upon this point it might be sufficient for me to appeal to the unprejudiced judgment formed and expressed at the time by Mr. Seward, after every material fact had been communicated to him by your despatches of the 25th and 31st of July and the 1st of August, 1862.* Writing to yourself on the 13th of August, 1863, he expressed the President's approval of the action which you had taken with respect to the "Oreto" and the "Alabama" (then called "No. 290"); and added, "You will on proper occasion make known to Earl Russell the satisfaction which the President has derived from the just and friendly proceedings and language of the British Government in regard to these subjects."

In maintaining this view of our duties, I have the satisfaction of thinking that Her Majesty's Government are supported by some of the highest authorities of the United States. In 1815 a correspondence began between the Ministers representing Spain and Portugal and the United States' Government respecting the practice of fitting out privateers in the ports of the United States, and putting them under a foreign flag, and cruizing against Spanish commerce. In January 1817, Señor Onis, Spanish Minister at Washington, says:—

"It is notorious that although the speculative system of fitting out privateers and putting them under a foreign flag, one disavowed by all nations, for the purpose of destroying the Spanish commerce, has been more or less pursued in all the ports of the Union, it is more especially to those of New Orleans and Baltimore, where the greatest violations of the respect due to a friendly nation, and, if I may say so, of that due to themselves, have been committed; whole squadrons of pirates having been out from thence in violation of the solemn Treaty existing between the two nations, and bringing back to them the fruits of their piracies, without being yet checked in these courses, either by the reclamations I have made, those of His Majesty's Consuls, or the decisive and judicious orders issued by the President for that purpose."

It does not appear that any compensation was ever made for any of these seizures.

But the remonstrances of Portugal are still more applicable.

On the 8th of March, 1818, Senhor T. Correa de Serra brought to the knowledge of the United States' Government the case of three Portuguese ships which had been captured by privateers fitted out in the United States, manned by American crews, and commanded by American captains, though under insurgent colours, and he demanded satisfaction and indemnification for the injury which had been done to Portuguese subjects, as well as to the insult which had been offered to the Portuguese flag. To this letter the American Secretary of State, after reciting the complaint of the Portuguese Minister, replies as follows:—

"The Government of the United States having used all the means in its power to prevent the fitting out and arming of vessels in their ports to cruize against any nation with whom they are at peace, and having faithfully carried into execution the laws enacted to preserve inviolate the neutral and pacific obligations of this Union, cannot consider itself bound to indemnify individual foreigners for losses by capture over which the United States have neither control nor jurisdiction. For such events no nation can in principle, nor does in practice, hold itself responsible." The Secretary of State who signed this despatch bore a name most honourably known in the annals of the United States, the name of Adams.

The remaining events to be noticed in the history of the answer given by the United States to the complaints of Portugal during the wars of South America, and

* Papers presented to Congress, December 1862, Nos. 196, 199, 201, and 323.

by Great Britain to the United States in the present war, may be recorded without any fear of comparison on the part of the Government of Her Majesty.

On the 20th April, 1818, the amended Act known as the "American Foreign Enlistment Act" was passed.

On the 24th of November of that year, the Portuguese Minister being asked by Mr. Adams to "furnish a list of the names of the persons chargeable with a violation of the laws of the United States, in fitting out and arming a vessel within the United States for the purpose of cruizing against the subjects of his Sovereign, and of the witnesses by whose testimony the charge could be substantiated," replied to the following effect:—

He had found with sorrow multiplied proofs that many of the armed ships which had committed depredations on the property of Portuguese subjects were owned by citizens of the United States, had been fitted in ports of the Union, and had entered in several ports of the Union, captured ships and cargoes by unlawful means. Many of these citizens of the United States had the misfortune of believing that they did a meritorious action in supporting foreign insurrections, and offered great difficulties in the way of every prosecution instituted by a foreign Minister. Prosecutions were ordered by the Government of the United States, but did not appear to have had much effect in checking the depredations complained of.

In March 1819 the Portuguese Minister alleges that in contrast to the Spanish insurgents who had ports and a long line of coast at their disposal, Artigas, the Chief whose flag was borne by United States' privateers, was wandering with his followers in the inland mountains of Corrientes. The "Artigan flag," he continues, "which has not a foot length of sea-shore in South America where it can show itself, is freely and frequently waving in the port of Baltimore: Artigan cockades were frequently met with in that city in the hats of American citizens unworthy of that name."

In another note dated the 23rd of November, 1819, the Portuguese Minister says, "I do justice to and am grateful for the proceedings of the Executive in order to put a stop to these depredations, but the evil is rather increasing. I can present to you, if required, a list of fifty Portuguese ships almost all richly laden, some of them East Indiamen, which have been taken by these people during the period of full peace. This is not the whole loss we have sustained, this list comprehending only those captures of which I have received official complaints. The victims have been many more, besides violations of territory by landing and plundering ashore with shocking circumstances.

"One city alone on this coast," he says, "has armed twenty-six ships which prey on our vitals, and a week ago three armed ships of this nature were in that port waiting for a favourable occasion of sailing or a cruize."

In July 1820 the Portuguese Minister proposed that the United States should appoint Commissioners to confer and agree with Commissioners of the Queen of Portugal in what reason and justice might demand.

But Mr. Adams again says that for wrongs committed in the United States territory, Portuguese subjects have a remedy in the Courts of Justice, but "for an acts of the citizens of the United States committed out of their jurisdiction and beyond their control, the Government of the United States is not responsible."

To this most just principle, which was again referred to by Mr. Secretary Clayton, and maintained against the Government of Portugal to this hour, the United States must be held still to adhere. No matter how many rich Portuguese ships were taken; no matter even what flag was borne by the vessels which took them, for these acts of the citizens of the United States acting as the captains, officers, and crews of those cruizers, the United States' Government declared itself not responsible. Nor was that Government induced to depart from that ground by the urgent representations of the Portuguese Minister in his letter to Mr. Webster of the 7th of November, 1850, that "by due diligence on the part of the Government and the officers of the United States, the evil might have been prevented," and that "the fitting out of these vessels was not checked by all the means in the power of the Government, but that there was a neglect of the necessary means of suppressing these expeditions. With regard to Spain the case was somewhat different, as the United States had many outstanding claims against the Government of Spain; and, on the other hand, the claims of Spain were rested upon the interpretation placed by her on her Treaty with the United States. The claims of the United States were used as a set-off against the claims of Spain, on account of the depredations committed by the United States' cruizers commanded by United States' captains,

and in respect of other matters; and both orders of claims were renounced and abandoned by a Treaty between Spain and the United States, concluded on the 22nd of February, 1819.

Before I refer to the conduct of Great Britain during the present civil war, I must for a moment allude to an address of President Monroe in regard to the South American insurrections:—"The revolutionary movement in the Spanish provinces in this hemisphere attracted the attention and excited the sympathy of our fellow-citizens from its commencement." Such is the statement of President Monroe in his special Message of the 8th of March, 1822. It must be acknowledged that in this country the gallantry of the people of the Southern States, in their endeavours to give those States an independent position in the world, excited a large amount of sympathy. It must be acknowledged also that the desire of large profits from the sale of cargoes induced many of the Queen's subjects to engage in blockade-running. But, on the other hand, it must be said that no British subject appears to have commanded a Confederate cruizer, while United States' citizens seem frequently to have acted as captains of the privateers which, under the flag of Buenos Ayres, or some other South American State, committed depredations on Spanish and Portuguese commerce. Nor was the vigilance of Her Majesty's Government at fault when, as in the case of the steam-rams built at Birkenhead for a Confederate agent, they were fully convinced that vessels of war were being constructed for purposes hostile to the United States. Indeed, so decided and so effective was the action of the Government in detaining the vessels called the "El Tousson" and "El Monassir," that it appears by the published Parliamentary Reports that a Member of Parliament charged the Government with having done, and with having done on their own confession, what was illegal and unconstitutional, without law, without justification, and without excuse. Unfounded as that charge was, yet, coming as it appears from high authority, it is obvious that nothing but the intimate conviction that those vessels were intended for Confederate vessels of war, that unless detained they would attempt to break the blockade of the United States' squadrons, and that such an act might have produced the gravest complications, could have sustained the Government under the weight of charges thus urged.

Let us compare this case, in which Her Majesty's Government detained and seized the ships, with that of the "Shenandoah" to which you refer, in which they did not interfere.

The "Shenandoah" was formerly the "Sea King," a merchant or passage steam-ship belong to a mercantile company. She was sold to a merchant, and soon afterwards cleared for China as a merchant-ship; not a tittle of evidence was ever brought before Her Majesty's Government by you or any one else to show that she was intended for the service of the Confederates. Had it been alleged even that her decks were stronger than usual, apparently for the purpose of carrying guns, it might have been plausibly answered that the China seas abounded with pirates, and that guns were necessary in order to drive them off.

But it is said that guns and men were sent to meet a Confederate vessel at sea. So far as guns are concerned, this is not an offence against our laws; nor am I aware of any authority of international law according to which the British Government could be bound to prevent it. So far as men are concerned they could not be interfered with, without evidence of an intention or engagement to serve as Confederate seamen, and no such evidence was ever offered to Her Majesty's Government. What if these guns and men were sent in a vessel which cleared for Bombay? Would it have been right for Her Majesty's Government, without evidence, to seize such a vessel? Would not proceedings thus unauthorised by law or by any legal grounds of suspicion have been loudly and universally condemned? It is true that arms were sent out to the "Olinde," a French vessel, and that the "Sea King" having changed its character at sea appeared afterwards as a Confederate ship-of-war. But in the words of Mr. Adams in 1818, "For such events no nation can in principle, nor does in practice, hold itself responsible." With regard to the export of arms sent by individuals in this country to vessels on the high seas, it must not be forgotten that the Government and Courts of the United States have always upheld the legality of this traffic. On the subject of certain memorials of British subjects sent to the Secretary of State of the United States during the Revolutionary war, Mr. Jefferson says, "We have answered that our citizens have always been free to make, send, or export arms; that it is the constant occupation and livelihood of some of them. To suppress their callings, the only means perhaps of their subsistence, because a war exists in foreign and distant countries with which we

have no concern, would hardly be expected. It would be hard in principle and impossible in practice."

This, be it recollected, was not the opinion of Mr. Jefferson alone; he wrote by the direction of General, then President, Washington.

With respect to the alleged destruction of the mercantile navigation of the United States, it must be noted that it has been common to transfer American merchant-ships, without change of cargo or of crew, nominally to British owners in order to avoid the higher rates of insurance payable during war. With peace the mercantile marine of the United States will, I have no doubt, be at least as numerous as before.

I am happy to see that you declare yourself by no means insensible to the efforts which Her Majesty's Government have made, and are still making, to put a stop to such outrages on this kingdom and its dependencies, and that you cannot permit yourself to doubt the favourable disposition of the Queen's Ministers to maintain amicable relations with the Government of the United States; nay, further, you state that the avoidance of the gravest of complications "has been owing in the main to a full conviction that Her Majesty's Government has never been animated by any aggressive disposition towards the United States, but, on the contrary, that it has steadily endeavoured to discountenance, and in a measure to check, the injurious and malevolent operations of many of her subjects." The question then really comes to this: Is Her Majesty's Government to assume or be liable to a responsibility for conduct which Her Majesty's Government did all in their power to prevent and to punish? A responsibility which Mr. Adams on the part of the United States' Government in the case of Portugal positively, firmly, and justly declined.

Have you considered to what this responsibility would amount?

Great Britain would become thereby answerable for every ship that may have left a British port and have been found afterwards used by the Confederates as a ship of war: nay, more, for every cannon and every musket used by the Confederates on board any ship of war if manufactured in a British workshop.

I now come to that part of your letter which relates to the future.

The late successes of the United States' armies give us every reason to hope for a speedy termination of the war. In such case the restrictions which have been imposed upon the vessels of the United States as belligerents will of course cease. In such case also it is to be presumed the cruizers and privateers of the Confederates will be at once sold and converted into merchant-vessels. But the present state of affairs does not allow me to speak with certainty upon this point.

The questions remain however, first, whether the United States' vessels of war will be now allowed to come into the harbours of Her Majesty's dominions without other restrictions than those usual in times of peace; and another question closely connected with it, namely, whether the Confederates are still to be treated as belligerents.

My answers are the following:—

In regard to the first question, Her Majesty's Government are quite willing that vessels of war of the United States shall be treated in the ports of Her Majesty in the same manner as Her Majesty's vessels of war are treated in the ports of the United States, with this single exception, that if an enemy's vessel of war should come into the same port, the vessel which shall first leave the port shall not be pursued by its enemy till twenty-four hours shall have elapsed.

Before answering the second question, I wish to know whether the United States are prepared to put an end to the belligerent rights of search and capture of British vessels on the high seas? Upon the answer to this question depends the course which Her Majesty's Government will pursue.

All that I can do further is to assure you that Her Majesty's Government, who have lamented so sincerely the continuance of this painful and destructive contest, will hail with the utmost pleasure its termination, and will view with joy the restoration of peace and prosperity in a country whose well-being and happiness must always be a source of satisfaction to the Sovereign and people of these realms.

I am, &c.

(Signed) RUSSELL.

No. 3.

Mr. Adams to Earl Russell.—(Received May 21.)

My Lord, *Legation of the United States, London, May 20, 1865.*

I HAVE had the honour to receive your note of the 4th instant, in reply to mine of the 7th of last month. I have already taken the earliest opportunity to transmit a copy to my Government. If it should not so happen that the course of events dispose of the matter beforehand, I shall probably receive instructions which will enable me to give the information which your Lordship appears to desire.

Pending the receipt of these, however, I must ask pardon for observing that in the notice which you have been pleased to take of the arguments submitted in my note, you have so far extended the field of discussion as to make it my duty to proceed in it still farther.

And here I would beg leave to remark that if I am to judge of the general statement made of my position by the abstract of it presented to me by your Lordship, I must have very grievously failed in offering the logical sequence of my propositions as distinctly as I had desired to do. This will render necessary another effort to place them before you in the following brief recapitulation:—

It was my wish to maintain—

1. That the act of recognition by Her Majesty's Government of insurgents as belligerents on the high seas before they had a single vessel afloat, was precipitate and unprecedented.

2. That it had the effect of creating these parties belligerents after the recognition, instead of merely acknowledging an existing fact.

3. That this creation has been since effected exclusively from the ports of Her Majesty's kingdom and its dependencies, with the aid and co-operation of Her Majesty's subjects.

4. That during the whole course of the struggle in America, of nearly four years in duration, there has been no appearance of the insurgents as a belligerent on the ocean, excepting in the shape of British vessels, constructed, equipped, supplied, manned, and armed in British ports.

5. That during the same period it has been the constant and persistent endeavour of my Government to remonstrate in every possible form against this abuse of the neutrality of this kingdom, and to call upon Her Majesty's Government to exercise the necessary powers to put an effective stop to it.

6. That, although the desire of Her Majesty's Minister's to exert themselves in the suppression of these abuses is freely acknowledged, the efforts which they made proved in a great degree powerless, from the inefficiency of the law on which they relied, and from their absolute refusal, when solicited, to procure additional powers to attain the object.

7. That by reason of the failure to check this flagrant abuse of neutrality the issue from British ports of a number of British vessels, with the aid of the recognition of their belligerent character in all the ports of Her Majesty's dependencies around the globe, has resulted in the burning and destroying on the ocean a large number of merchant-vessels and a very large amount of property belonging to the people of the United States.

8. That, in addition to this direct injury, the action of these British-built, manned, and armed vessels has had the indirect effect of driving from the sea a large portion of the commercial marine of the United States, and to a corresponding extent enlarging that of Great Britain, thus enabling one portion of the British people to derive an unjust advantage from the wrong committed on a friendly nation by another portion.

9. That the injuries thus received by a country which has meanwhile sedulously endeavoured to perform all its obligations, owing to the imperfection of the legal means at hand to prevent them, as well as the unwillingness to seek for more stringent powers, are of so grave a nature as in reason and justice to constitute a valid claim for reparation and indemnification.

In making this recapitulation it is no part of my design to go over any of the reasoning which has already been exhausted in the correspondence which I have had the honour heretofore to hold with your Lordship. I shall endeavour to confine myself to such points as may have been raised by the new matter embodied in the note to which I now have the honour to reply.

With regard to my first proposition, I have ventured to affirm that the recog-

nition of the insurgents as belligerents on the 13th of May was precipitate and unprecedented. That it was precipitate is clear from the fact that not a single vessel entitled to the character was at that moment afloat on the ocean, and that even on the land the war itself had barely commenced in the bloodless capture of Fort Sumter. That it was unprecedented I must infer that your Lordship does not design to dispute, since it appears that you have not availed yourself of my invitation to furnish me with any examples.

Nevertheless, I have endeavoured, so far as I was able myself, to investigate the matter in order that I might be fully satisfied in regard to the solidity of the reasons which your Lordship has done me the favour to offer for so suddenly taking this step. I have found in history an abundance of instances of insurrection, either temporarily or ultimately successful; in most of them there was much more of necessity pressing upon neutral Powers for deciding the points to which your Lordship has referred in your note; but I have failed to discover a single occasion upon which any of the Powers made a decision in anticipation of a case of immediate necessity presenting itself to their attention.

In this connection I may, perhaps, be pardoned for reminding your Lordship of the circumstances connected with the breaking out of the revolution in the British Colonies in America. It could not, then, be said that cruizers and merchant-vessels did not at once swarm on the ocean. Neither was the other contingency absent, of the decision of Her Majesty's Government to close some ports and to blockade others. Yet I do not perceive that France, however well inclined to do so, did actually take a single step to declare, by Proclamation, these insurgents as belligerents at any time. The course which it did take, the same which I find to have been usual, was to await the arrival of an insurgent vessel in her ports. When that event did happen, a decision was made. It was received as belonging to a belligerent. The same course was likewise taken in Holland. But I must beg leave to remind your Lordship that even this quiet proceeding was instantly denounced by His Majesty's Government in both cases as a wrong demanding reparation, and was made one of several grounds for which, in the end, Great Britain made war successively against each nation.

But the immediate recognition of the insurgents by a Proclamation was not the only unprecedented proceeding resorted to by Her Majesty's Government to create a status which had no actual existence. In advance of that step it now appears that measures were taken and overtures made to effect a species of diplomatic negotiation with the so-called authorities at Richmond, for the purpose of gaining their adhesion to the four points of the celebrated Treaty of 1856. Considering that the party applied to had not then, and has not at any moment since ever been able to boast of sailing a single vessel of its own construction, equipment, and manning, this might very naturally have been construed by it as equivalent to offering to create for it a status in the ports of the proposing party, applying in advance of any idea of profiting by such a privilege. I do not intend to affirm that Her Majesty's Government, in taking this extraordinary step, had any design to hold forth an invitation. On the contrary, I disclaim any such idea. But it must be obvious to your Lordship that some responsibility is often incurred for the injurious consequences naturally flowing from human action, even though there may not be the presence of evil intention. From the evidence already before the public it does not admit of a doubt that these proceedings, taken together, did have the effect of encouraging the insurgents to a degree which led to the prosecution of their subsequent audacious policy.

The insurgents ultimately became a belligerent on the ocean solely by reason of the facilities furnished them in Her Majesty's ports. The fact appears to me to be indisputable. For down to the close of the war, with the exception mentioned in my former note, of two passenger steamers stolen from the citizens of New York, not a single effective vessel of theirs has been seen on the ocean, excepting the six or seven which have been wholly supplied in and from this kingdom. Of the preparation of these steamers for the purpose indicated, I have endeavoured from time to time to furnish your Lordship with such evidence as I had it in my power to obtain. For a considerable time I found myself unable to stem the combined effect of the secret sympathy of Her Majesty's officers in the port of Liverpool, and of your Lordship's very natural incredulity based on their reports, in procuring more than formal attention to my representations. Thus it was that the gun-boat "Oreto" got away, and soon after became the armed privateer the "Florida." All the statements I had the honour to submit proved true to the

letter, but nevertheless the facility with which the evasion had been accomplished furnished the strongest encouragement to the subsequent great extension of the field of operations.

It was at that moment that a deliberate policy was adopted by the insurgents, under which a base was made in this kingdom for all the extensive warlike operations since conducted by them. The officers were then established, and all the ramifications of a bureau regularly organized.

The next example was that of gun-boat No. 290, afterwards well known as the cruizer the "Alabama." I refer to this case once more only because it has been particularly referred to by your Lordship. I do so for the purpose of expressing my dissent from the statement made in your note in regard to certain important particulars. Your Lordship is pleased to state that the papers affording evidence of a design to equip this ship for the Confederate service were furnished to you on the 22nd and on the 24th of July. This is certainly true. But your Lordship will be kind enough to remember that my first note, giving information as to the character of that vessel, was dated on the 23rd June, that is, one month preceding. On the 4th of July, the Commissioners of Her Majesty's Customs, to whom that representation was referred, made a report admitting the fact that the vessel was certainly built for a ship of war, but affirming that the evidence presented of her being intended for the so-called Confederate Government was not sufficient to justify a detention. The concluding sentence in their letter was in these words. I pray permission to ask your Lordship's particular attention to them :—

"We beg to add that the officers at Liverpool will keep a strict watch upon the vessel, and that any further information that may be obtained concerning her will be forthwith reported."

Here was a distinct pledge on the part of two of Her Majesty's officers that "they would keep a strict watch on this vessel," which pledge was sent to me with your Lordship's note of the 4th of July, requesting me to obtain such further evidence as might tend to show the destination of the vessel. Considering this as a distinct engagement, sanctioned by Her Majesty's Government, to keep faithful watch over that vessel so long as it might be necessary to obtain more evidence as to her character, the precise date of the receipt of that evidence becomes a question of secondary importance. The true question appears to be how that pledge was actually redeemed. This will appear clearly enough in the sequel.

On the 9th of July, the Consul made a statement to the Collector of facts as they had become known to him. He entered into a number of details in respect to the persons engaged in connection with this vessel, naming individuals with a particularity certainly deserving of some investigation by Her Majesty's officers at Liverpool, if they really meant to satisfy themselves that she ought to be detained. But it does not appear that they considered it their duty to initiate or even to carry on any inquiry. The Board of Customs contented themselves with a formal reply on the 15th instant, denying that there was sufficient *primâ facie* evidence to justify a seizure of the vessel.

On the other hand, my Lord, I must take the liberty to remark, after a calm re-examination of the substance of that letter, that if there was not *primâ facie* evidence enough in it to justify the seizure, there was matter enough in it to make it the bounden duty of Her Majesty's officers to lose no time and omit no effort to obtain the evidence on their own account to verify or to disprove the allegations.

They do not so appear to have read their duty. The consequence was that more time was necessary for me to procure the information which, as officers of the Crown, they admit in their own letter, they ought to have procured themselves. I did obtain evidence, though the process naturally consumed time. That evidence was submitted on the 21st of July by the Consul at Liverpool to the Collector of that port, and by him referred to the Board of Customs. The deliberate answer of that body was made on the 23rd of July, and it was to the effect that it was not sufficient to justify any steps being taken against the vessel under the law.

Thus far it appears that although Her Majesty's officers had pledged the Government to keep faithful watch over the vessel and report any further information they might obtain, no one of them seems to have been disposed to pay the smallest attention to any representations or any evidence offered by myself or any agent of the United States, even so far as to stimulate his own action in any way whatever. A change now took place, to the nature of which I beg most particularly to call your Lordship's attention.

On the next day after this decision of the Customs' Board, I had the honour of

sending to your Lordship copies of six of the very same depositions which had been already sent to them. Whether these would by themselves have met with a better fate I cannot venture to pronounce. But on the 24th I transmitted two additional ones, to which was appended a professional opinion by a British subject, distinguished as a Queen's Counsel, which had been given to me after a careful examination of all these papers. It was to the following effect:—

"1. That if the Collector of Liverpool did not detain the vessel he would incur a heavy responsibility, of which the Board of Customs must take their share.

"2. That if the vessel was allowed to escape, it deserved consideration whether the Federal Government would not have serious grounds of remonstrance."

These were ominous words. They laid the responsibility distinctly upon the very parties who had given the original pledge of vigilance and attention. And yet during the very interval in which Her Majesty's Government was deliberating upon their purport, the vessel was permitted to escape. Neither did this event occur without most explicit warning of the danger having been given by a person acting on behalf of the United States. As early as the 23rd of July, six days before that escape, Mr. Squarry, the Solicitor employed in the case, addressed a note to the Secretary of the Customs Board warning them most distinctly of the fact that the vessel was ready for sea, had fifty men on board, and could sail at any time. On the 26th he wrote another letter, repeating the warning once more; yet in spite of the promise to keep a strict watch, and in spite of these repeated warnings, the vessel was permitted to steam out of Liverpool just as if no cause of suspicion of her destination had ever been excited. And as if to crown the extraordinary character of the transaction, after receiving from Mr. Squarry notice on the 29th that the vessel was actually gone, it was not until the 31st that telegrams were issued to Liverpool ordering her detention. I must respectfully represent to your Lordship that this proceeding, so far from appearing to do any justice to the demand of the United States, looks almost as if it were intended as a positive insult.

It is true that on the same day telegrams ordering a detention were sent to Cork; likewise, on the 1st of August, to Beaumaris and Holyhead; and on the 2nd of August a letter was sent to the Collector at Cork to the same effect. For all practical purposes, they might have been sent just as well at this moment that I am addressing these lines to your Lordship. It further appears that instructions were sent to the Governor of the Bahamas in case the vessel should visit Nassau. The vessel did not visit that place; but the next time she visited a port within Her Majesty's dominions was after she had entered upon her career of depredation, and then instead of being detained she was politely received and acknowledged as the vessel of a *bonâ fide* belligerent.

It now appears that from the day when, by the flagrant negligence of Her Majesty's Board of Customs, this vessel, admitted to be intended for war purposes, was suffered to depart from the port of Liverpool, down to the hour of her destruction by the United States' steamer "Kearsarge," off the coast of France, she came again and again into ports within Her Majesty's jurisdiction; and instead of being treated as Her Majesty's Government directed if she should go to Nassau, she was everywhere hailed with joy and treated with hospitality as a legitimate cruizer.

On behalf of my Government, I respectfully protest against the whole of this proceeding as contrary to recognized principles of international law. What the obligation of Her Majesty's Government really was in this instance is so clearly laid down by a distinguished writer, notoriously disposed never to exaggerate the duties nor to undervalue the privileges of neutrals, that I will ask the liberty to lay before you his very words:—

"Le fait de construire un bâtiment de guerre pour le compte d'un belligérant, ou de l'armer dans les Etats neutres, est une violation du territoire. Toutes les prises faites par un bâtiment de cette nature sont illégitimes, en quelque lieu qu'elles aient été faites. Le Souverain offensé a le droit de s'en emparer, même de force, si elles sont amenées dans ses ports, et d'en réclamer la restitution lorsqu'elles sont, comme cela arrive en général, conduites dans les ports hors de sa juridiction. Il peut également réclamer le désarmement du bâtiment illégalement armé sur son territoire, et même le détenir, s'il entre dans quelque lieu soumis à sa souveraineté, jusqu'à ce qu'il ait été désarmé."

It is, then, with undoubting confidence in the justice of the reasoning here presented that I take the liberty to re-affirm the validity of the claims of my Government for all the damage done by this vessel during her career, and ask reparation therefor.

With respect to the extract from the letter of Mr. Seward to me of the 13th August, 1863 (actually written in 1862), by a clerical error in your Lordship's note that for a time misled me, which you are pleased to quote as a proof that he was perfectly satisfied with the proceedings, I can only remark that the very date itself sufficiently proves that his language never could have been intended to apply to the extent to which your Lordship appears to suppose, for at that moment he had been but very partially put in possession of all the facts connected with the case. His remark obviously pointed only to the disposition of your Lordship, which has never been brought into question. What he has thought of the whole case since, and what instructions have been given to me in consequence, are matters too well known to your Lordship to render further explanation necessary.

Passing from this point to the more general question between the two countries, I proceed to the task of considering an argument of your Lordship of a widely different description; this is one drawn entirely from the authority supplied by the previous practice of the Government which I have the honour to represent. You cite this as an example to sustain the position taken by Her Majesty's Government against the present claim. It is urged that, in at least two instances cited, where similar claims were presented by the Representatives of foreign Powers to the United States, they were replied to with substantially the same reasoning now repeated by Her Majesty's Government. These are the cases of Spain and Portugal, the commerce of which countries had suffered from depredation on the ocean committed by vessels built, armed, manned and equipped by citizens of the United States and despatched from their ports.

The first remark that I would pray permission to submit in connection with this view of the subject is this. That even if it were true that the Government of the United States had, half a century since, refused to recognize the just claims of other Powers for damage done, by reason of their omission to prevent the abuse of their neutral ports to the commerce of those Powers, it could in no degree change the nature of any subsequent omission or neglect committed by other Powers at this day. It is a principle of morals too thoroughly known to your Lordship to require my dwelling upon it for a moment, that the wrong doing of one party cannot be cited in justification of a repetition of the act by another. Surely if the United States' Government had ventured upon declaring what was once known as a paper blockade of the whole Southern coast, Her Majesty's Government would not have been content to be told that such was the acknowledged practice of Great Britain many years ago. Neither would it have been better satisfied if the United States had resorted to the press-gangs in the outset of the war to fill their ships with British subjects forced against their will to fight their own countrymen in the "Alabamas," and "Floridas," and "Shenandoahs," and "Tallahassees" depredating on the ocean, to be told in answer to their remonstrances that just such was the treatment Americans experienced at the hands of Great Britain prior to the war of 1812.

But conclusive as this reasoning may be held to be to annul at once all the authority that springs from mere precedent as its source, I am by no means disposed to resort to it in the cases cited by your Lordship. They are very familiar to me, and to my view are in themselves so far from furnishing strength to the positions which have been taken by your Lordship, that they bear directly the contrary way. The parallel attempted to be drawn is, in other words, wholly defective and inapplicable.

In regard to the injuries inflicted by citizens of the United States upon the commerce of Spain, the extract which your Lordship is pleased to quote from the official note of the Representative of the latter country, Don Luis de Onis, certainly does show that such were actually committed. I am not aware that the Government of the United States ever denied the fact. The expedition fitted out by General Miranda against a certain portion of the coast of South America then under Spanish rule, was unquestionably a violation of the neutrality of the country which ought to have been prevented. All these cases constituted claims which the Spanish Government held against the United States, very much in the same way that the claims for damage done by the "Alabama," &c., issued from British ports, are now held by the United States. On the other hand, however, it should be observed that out of the wars of Europe there had grown up a much larger amount of claims on behalf of the people of the United States for injuries done to their commerce by illegal seizure and condemnation of their vessels in the ports of Spain. In progress of time, the necessity became urgent on both sides to enter

into a deliberate examination of the merits of these respective claims, and, if possible, to arrive at fair terms of settlement. A plan of a Treaty was proposed, embracing all that was regarded as fairly to be brought forward on the two sides. It was during this process that Don Luis de Onis, the very same person whom your Lordship has been pleased to cite as making the complaint, himself, on the 24th of October, 1818, presented a projet of six Articles intended to include every one of those objects.

There can be no doubt that this proposal was intended to cover the very claim which was presented in the previous note of January 1817, an extract from which your Lordship has done me the honour to quote. If your Lordship should have any inclination to draw it into question, I shall only have to refer you to a second projet presented by the same individual on the 16th of November, 1818, in which occur these words :—

"My fourth proposal to your Government has for its object the renunciation by both Governments and nations of all claims for spoliations respectively suffered by either of the two Powers or their subjects, until the signing of the Treaty."

And as a voucher for what was meant, there is attached to this paper a document containing three separate lists: one, of the names of the Spanish vessels taken; another, of the privateers fitted out in the American ports, by which they were taken; and a third, of the property taken in those vessels. In other words, these constitute the very claims for injuries complained of in the note of M. Onis, to which your Lordship has been pleased to refer.

To this proposition so presented by M. Onis, the Government of the United States raised no objection. It was, therefore, so far as it went, admitted as an item *pro tanto* on the side of Spain in the settlement of the opposite questions between the two nations. As such, it was incorporated into the projet of a Treaty drawn up by Don Luis de Onis for the consideration of the United States' Government, and delivered on the 9th of February, 1819. In this paper it makes a portion of the Xth Article. The renuneiation of His Majesty was made to extend to all injuries caused by the expedition of Miranda, fitted out and equipped at New York, and "to all claims of subjects of His Catholic Majesty upon the Government of the United States, in which the interposition of His Catholic Majesty's Government has been solicited before the date of this Treaty, and since the date of the Convention of 1802, or which may have been made to the Department of Foreign Affairs of His Majesty, or to his Minister in the United States."

It is not to be supposed for a moment that in making this voluntary offer, the Spanish Government did not expect to gain for it a just equivalent in settling the other and less favourable terms of the Treaty.

This offer so made was accepted by Mr. Adams for the United States, and incorporated in his counter projet offered to Don Luis de Onis on the 13th of February, 1819.

It therefore now stands *totidem verbis* as a part of the Treaty signed by the Representatives of the two countries on the 22nd of February of that year.

All the papers from which these extracts are taken have been long before the world. I trust I may therefore be pardoned if I express no small astonishment that your Lordship should have fallen into the error of affirming in the note which I have had the honour to receive, that "it does not appear that any compensation was ever made for any of these seizures."

I now ask leave to proceed to the consideration of the other case referred to in your Lordship's note, the claim of Portugal upon the United States for similar injuries to those complained of on behalf of Spain. I am the more disposed to approach the subject that, unlike the other case, it is new in the correspondence which it has been my duty to hold with your Lordship, and that it gives me an opportunity to correct some misapprehensions which appear to exist as to its true character and bearing on the present discussion.

The extracts from various public papers of the Government of the United States with which your Lordship has favoured me, sufficiently establish the fact as stated, to wit:—

"That the revolutionary movement in South America excited the sympathy of the people of the United States."

Your Lordship is pleased here to apply the parallel so far as to admit that in this Kingdom there was similar sympathy with "the people of the Southern States" in what you describe as "their endeavours to give these States an independent position in the world." This was an unfortunate illusion as to the true objects

of that struggle of which I have been aware, but which I have never ceased to regret.

Yet I would respectfully call the attention of your Lordship to the circumstance, in connection with this supposed parallel, that notwithstanding the sympathy of the people of the United States with South America, and notwithstanding that the insurgents did possess both open ports and abundant facilities for cruizing on the ocean, the Government of the United States did not herald their movement by a prompt declaration recognizing these people as a belligerent Power as against Spain.

So far was this from being true, that, no sooner was it known that movements were set on foot to make a few of the ports of the United States a base for the operations of the insurgents, aided by citizens of the country, than orders were given to the proper officers of the Government to apply the whole power of the existing laws to prevent it. In proof of this assertion, I pray permission to submit the reports of the prosecuting attorneys for the two districts in which the offences were most committed. Copies of these papers will be found appended to this note. They will show that seven different individuals, citizens of Spanish America, engaged in these operations against the neutrality of the country were subjected to trial for their offences in the Courts. I would here beg leave to interpose the remark that, so far as I know, in spite of all the evidence which I have presented to your Lordship as to the complicity of leading insurgents of the United States residing in this Kingdom in the violations of neutrality here committed, not a single prosecution has ever been attempted by Her Majesty's Government. They will also show that the only limit to the effort of the Government to punish the parties concerned was the inefficacy of the provisions of the existing law passed in 1794. It was this difficulty which soon forced itself upon the attention of the President.

It is here that I beg leave to take up the case of Portugal, and to ask attention to those particular points in which the action of the United States in this case differs most materially from that of Her Majesty's Government, with which it has been attempted to make a parallel.

On the 20th of December M. J. Correa de Serra, the diplomatic Representative of Portugal at Washington, addressed a note to Mr. Monroe, then the Secretary of State, presenting the particulars of a strong case of violation of the law which had just happened in Baltimore. He proceeded frankly to acquit the Government of any want of disposition to punish the offence, and to mention the obstacle, which he designated to be an imperfection of the Statute Law.

I pray your Lordship's permission to cite the passage which explains the nature of the request he made in consequence :—

"I apply, therefore, to this Government in the present instance not to raise altercations or to require satisfaction, which the Constitution of the United States has not, perhaps, enabled them to give, because I know that the Supreme Executive of this nation, all-powerful when supported by law, is constitutionally inactive when unsupported by it. What I solicit of him is the proposition to Congress of such provisions by law as will prevent such attempts for the future. I am persuaded that my magnanimous Sovereign will receive a more dignified satisfaction, and worthier of his high character, by the enactment of such laws by the United States which, insuring the respect due to his flag for the future, would show their regard for His Majesty, than in the punishment of a few obscure offenders (even if attainable) who, disowned as they are by the United States, may, no doubt, if they take any unwarrantable liberty with the property of His Majesty's subjects, meet the fate every honest mind wishes to them, and serve as examples and warning to those who in future may feel piratical dispositions. I rely on the President's wisdom, and the wish I am sure he must feel of putting an end to these shameful practices, that he will take the proper measures to have my just requisition fulfilled."

This was on the 20th December. Only six days elapsed after the reception of this application, when Mr. Madison, then the President, addressed a Message to both Houses of Congress in the following words :—

"It is found that the existing laws have not the efficacy necessary to prevent the violations of the obligations of the United States as a nation at peace towards belligerent parties, and other unlawful acts on the high seas by armed vessels equipped within the waters of the United States.

"With a view to maintain more effectually the respect due to the laws, to the character, and to the neutral and pacific relations of the United States, I recom-

mend to the consideration of Congress the expediency of such further legislative provisions as may be requisite for detaining vessels actually equipped, or in course of equipment, with a warlike force, within the jurisdiction of the United States; or, as the case may be, for obtaining from the owners or commanders of such vessels adequate securities against the abuse of their armaments, with the exceptions in such provisions proper for the cases of merchant-vessels furnished with the defensive armaments usual on distant and dangerous expeditions, and of a private commerce in military stores permitted by our laws, and which the Law of Nations does not require the United States to prohibit."

The precise points which he desired to have incorporated into a Statute are specified in a note from the Secretary of State to Mr. Forsyth, Chairman of Committee on Foreign Relations. They are these:—

"Having communicated to you verbally the information asked for by your letter of the 1st instant, except so far as it relates to the last inquiry it contains, I have now the honour to state that the provisions necessary to make the laws effectual against fitting out armed vessels in our ports for the purpose of hostile cruizing, seem to be:—

"1. That they should be laid under bond not to violate the Treaties of the United States, or the obligations of the United States under the Law of Nations, in all cases where there is reason to suspect such a purpose on foot, including the cases of vessels taking on board arms and munitions of war, applicable to the equipment and armament of such vessels, subsequent to their departure.

"2. To invest the Collectors, or other Revenue Officers where there are no Collectors, with power to seize and detain vessels under circumstances indicating strong presumption of an intended breach of the law; the detention to take place until the order of the Executive, on a full representation of the facts had thereupon, can be obtained. The Statute Book contains analogous powers to this above suggested (see particularly the 11th section of the Act of Congress of April 25, 1808).

"The existing laws do not go to this extent. They do not authorize the demand of security in any shape, or any interposition on the part of the magistracy as a preventive, where there is reason to suspect an intention to commit the offence. They rest upon the general footing of punishing the offence merely where, if there be full evidence of the actual perpetration of the crime, the party is handed over, after the trial, to the penalty denounced."

Experience both in America and in this kingdom has united to prove that the measure of restraint here pointed out is almost the only effective one which can be resorted to in such cases. Had it been found possible to use it here, I am confident that a great portion of the difficulties experienced by Her Majesty's Government during the late war would have been avoided.

On the 3rd of March, 1817, a temporary law was passed to meet the emergency, which was received by the Portuguese Minister with the greatest satisfaction.

On the 8th of March, 1818, the Portuguese Envoy addressed a representation to the Secretary of State in regard to the capture of three vessels by one of these illegal cruizers. But it should be particularly noted that these cases appear all to have grown out of depredations committed by a single vessel which had escaped from the United States previous to the date of the enactment of the new statute. The captures themselves took place on the ocean at about the time of its passage.

With the aid of this explanation your Lordship will be better able to appreciate the force of the language of Mr. Adams, then the Secretary of State, in his reply to the Portuguese Minister, which you have done me the honour to quote in your note. The Government had not only literally done all in its power, under existing laws, to prevent these violations of neutrality, but had, at the request of the Envoy himself, procured the adoption by Congress of a new and more stringent statute. Surely, under such circumstances, nothing more could reasonably be expected of it.

This seems to have been the opinion of the Portuguese Minister himself. So well satisfied was he with the practical operation of this law in checking these enterprises, that, at the moment when it was about to expire by its own limitation of two years, on the 4th of February, 1819, he once more came forward to express his anxiety about losing it, and addressed an earnest representation to the United States' Government to secure an extension of the term. The reply was to the effect that it had not only been incorporated into a new and improved form, but was made permanent.

This will appear from the following note of Mr. Adams :—

"Sir,—In answer to your letter of the 4th instant, I have the honour of informing you that the Act of Congress of 3rd March, 1817, to which it refers, was repealed by the Act of the 20th of April last, entitled an Act in addition to the Act for the punishment of certain crimes against the United States, and to repeal the Acts therein mentioned, being the eighth chapter of the laws of the last session. On referring to this last-mentioned statute, which is not of limited duration, you will find that the provisions of the temporary Act of 3rd March, 1817, are re-enacted by it."

From all which proceedings it distinctly appears that although there were some violations of neutrality committed in defiance of every precaution both before and afterwards, yet the position of the United States in regard to every complaint was an impregnable one. It had done everything in its power, not only to execute existing laws, but to provide more stringent and satisfactory enactments to remedy the defects of the old ones.

Had Her Majesty's Government in its wisdom decided to do as much as this in the late war, I am not sure that I should have been able to resist the argument drawn from the example your Lordship has cited in its defence. But I regret to be obliged to remind you that so far was this from being the case, it took diametrically the opposite course. At an early period my Government, not unaware of the obstacles that were presenting themselves to the effective application of the existing statutes of Great Britain to the offences notoriously committed within this kingdom, directed me to call your Lordship's attention to the expediency of procuring for the Government more stringent provisions. I did then venture respectfully to propose to you that some steps should be taken to obtain at least such modifications of the existing Enlistment Act as might tend to make it a better preventive measure. Your Lordship was pleased in the first instance to respond favourably, at least so far as to make the adoption of such amendments conditional upon corresponding and simultaneous action on the part of the United States. But no sooner had I succeeded in obtaining from my Government its assent to a consideration of the arrangement, and communicated the result to you, than your Lordship will be so good as to recollect that I received for answer that Her Majesty's Government had in the interval reconsidered its decision, and had finally determined to rely upon the existing statutes as quite effective to answer the desired purpose.

From this survey of the two cases it must then be obvious, that the parallel in which your Lordship has attempted is by no means to be regarded as complete. Inasmuch as in the one instance, everything that was required as security by a foreign Power was actually done to please it, whilst in the other everything required was as positively declined. Hence the responsibility for the evil consequences which was lifted by its own action from the one party, seems to have been entailed with renewed force by its refusal to act upon the other.

Your Lordship is pleased to observe that you can never admit that the duties of Great Britain towards the United States are to be measured by the losses which the trade and commerce of the United States may have sustained. To which I would ask permission to reply that no such rule was ever desired. The true standard for the measurement would seem to be framed on the basis of the clear obligations themselves, and the losses that spring from the imperfect performance of them.

With regard to the observations of your Lordship respecting the seizure by Her Majesty's Government of the two steam war-vessels constructed by Mr. Laird at Liverpool, I have at all times endeavoured to bear my feeble testimony to the earnest desire then manifested to put a stop to that most outrageous of all the attempts that have been made to violate the neutrality of this kingdom. At the same time, however, since your Lordship has been pleased to open that subject, it is no more than my duty to observe that the proceeding does not appear to have terminated as, in accordance with Her Majesty's dignity, I am compelled to think it should have done, in fully upholding the authority of the sovereign Power, but rather in a necessity to resort to an indirect mode of escaping the hazard of recourse to the ordinary process of the Courts for the protection due to a foreign nation. So far as the claims of the Government of the United States are concerned, it matters little by what means the end may have been reached. At the same time, it is impossible for it not to have been made painfully conscious in the process that the security of the peace of the two nations from one of the most flagrant violations of international obligations ever attempted, should have been left to hang upon a

mode of proceeding wholly foreign from the recognized and established law of the land.

The fact of the extraordinary decline of the mercantile navigation of the United States simultaneously with a corresponding increase of that of Great Britain, as shown in the Tables appended to my former note, does not appear to be disputed by your Lordship; not yet the other fact, that it sprang from the transfer of vessels from the one side to the other by reason of the ravages committed by armed steamers fitted out from the ports of Great Britain. It is true your Lordship is pleased to avoid the natural inference which I have been compelled to draw from this state of things by explaining the process in another way. You are pleased to affirm it as a fact that "it has been common to transfer American merchant ships, without change of cargo or of crew, nominally to British owners, in order to avoid the higher rates of insurance payable during war." But in reply to this I would remark, in the first place, that even if this statement be correct to a far greater extent than I should at present be disposed to admit, it is nothing less than a direct fraud on one of the belligerents, which if it had had native vigour, instead of being an unthrifty offshoot from a purely British stock, would have furnished to it just ground for general retribution upon British commerce by subjecting it to the most annoying suspicion and severe examination; and in the next, that the very fact of the admitted rise in the rates of insurance on American ships only brings us once more back to look at the original cause of all the trouble, to wit, the fact of the issue of all the depredating vessels from British ports, with British seamen, and with, in all respects but the presence of a few men acting as officers, a purely British character.

Thus it is that whatever may be the line of argument I pursue, I am compelled ever to return to the one conclusion: the nation that recognised a Power as a belligerent before it had built a vessel and became itself the sole source of all the belligerent character it has ever possessed on the ocean, must be regarded as responsible for all the damage that has ensued from that cause to the commerce of a Power with which t was under the most sacred of obligations to preserve amity and peace.

There remain a few minor points in your Lordship's note which might have elicited further comments on my part, but for the consideration that the positions taken in regard to them by my Government have been already on a former occasion sufficiently set forth. I am therefore reluctant, by further extending this note, to run the risk of trespassing unnecessarily on your Lordship's patience. I trust that, in performing the task to which my sense of duty calls me, I shall not be found to have in any degree transgressed the limits of amicable discussion to which it is the earnest desire of my Government that I should ever adhere, and which it is always my own disposition to observe.

I pray, &c.
(Signed) CHARLES FRANCIS ADAMS.

Inclosure 1 in No. 3.

Mr. Dick, Attorney of the United States for the District of Louisiana, to the Secretary of State.

(Extract.) *March* 1, 1816.

ATTEMPTS to violate the laws by fitting out and arming, and by augmenting the force of vessels, have no doubt been frequent, but certainly, in no instance, successful, except where conducted under circumstances of concealment that eluded discovery. In every instance where it was known that these illegal acts were attempting, or where it was afterwards discovered that they had been committed, the persons engaged, as far as they were known, have been prosecuted, while the vessels fitted out, or attempted to be fitted out, have been seized and libelled under the Act of the 5th of June, 1794; and when captures have been made by vessels thus fitted out and armed, or in which their force was augmented or increased within our waters, where the property taken was brought within our jurisdiction, or even found upon the high seas by our cruizers, and brought in, it has been restored to the original Spanish owners, and, in some instances, damages awarded against the captors.

An enumeration of the cases in which individuals have been prosecuted for infringing, or attempting to infringe, our neutrality in aid of the Governments of New Spain, and in which vessels have been seized and libelled, under the Act of the

5th June, 1794, together with a list of the vessels and property restored to the original Spanish owners (confining the whole to the operations of the year commencing March 1815, and ending February 1816), will show more conclusively, perhaps, than anything else can, how totally without foundation are the complaints, and how misplaced are the assertions, of the Minister of Spain on this head.

The Names of Individuals prosecuted in the District Court of the United States for the Louisiana District during the year 1815 for violating, or attempting to violate, the neutrality of the United States, in aid of the Government of the United Provinces of New Granada and of the United Provinces of Mexico.

José Alvarez Toledo.
Julius Cæsar Amigone.
Vincent Gambie.
John Robinson.
Romain Very.
Pierre Lameson.
Bernard Bourden.

List of vessels libelled for illegal outfits of the same Governments during the same period.

Brig "Flora Americana," restored.
Schooner "Presidente," condemned.
Schooner "Petit Melan," condemned.
Schooner "General Bolivar" discontinued.
Schooner "Engenen," *alias* "Indiana," condemned.
Schooner "Two Brothers," restored.

Enumeration of vessels and property brought within the Louisiana district, captured under the flags and by authority of the Governments of New Granada and of Mexico, libelled on the part of the original Spanish owners, and restored upon the ground that the capturing vessels had been fitted out and armed, or had their force augmented within the waters of the United States.

1. Schooner "Cometa," restored April 1815.
2. Schooner "Dorada," proceeds restored May 16, 1815, 3,050 dollars.
3. Schooner "Experimento," restored August 3.

5. The polacca brig "De Regla" and cargo, proceeds restored December 18, 1815, 19,209 dollars 50 cents.

6. Schooner "Alerto" and cargo, being the proceeds of the capture of about eighteen small vessels, restored December 18, 1815, 62,150 dollars 5 cents.

Damages awarded to the original owners against the captors in the two foregoing cases, 55,272 dollars 99 cents.

7. Cargo of the schooner "Petit Melan," restored February 1, 1816, 2,444 dollars 31 cents.

8. Cargo of the schooner "Presidente," February 1, 1816, 10,931 dollars 15 cents.

9. Schooner "Santa Ritor" and cargo, restored February 1, 1816, 37,962 dollars 94 cents.

The preceding account of Spanish property restored to the original proprietors after being in the possession of the enemies of Spain is defective, inasmuch as it does not comprehend the whole of the cases of restoration that have taken place within the period to which the detail is confined.

The very hasty manner in which I have made this communication, did not admit of a more accurate statement. The principal cases, however, are included in it.

In several other cases, where the property was claimed for the original Spanish owners, the claims were dismissed because it did not appear that any violation of our neutrality had taken place. The capturing vessels were not armed, nor was their force augmented within our jurisdiction, nor had the captures been made

within a marine league of our shore. The principles that guided the decision of the Court, as well in restoring the property captured, where our neutral means had been used, as in declining all interference where that was not the case, manifest, I think, a disposition to and an exercise of the most rigid neutrality between the parties.

Inclosure 2 in No. 3.

Sir, *Baltimore, September* 7, 1816.

IMMEDIATELY upon the receipt of your letters of the 16th of August, I obtained from the Collector of that port an affidavit, stating that Thomas Taylor had in April last sworn that he was a citizen of the United States, and, as such, had cleared out the schooner "Romp," which vessel the Collector also declared, on oath, he believed to have cruized against the vessels of the King of Spain since that time. Upon which affidavit an intelligent Justice of the Peace of this city, well disposed upon the score of political feeling to do as much as justice required towards the punishment of Taylor for his conduct, issued a warrant, by virtue of which Taylor was arrested. Upon its return, I appeared before the Justice (whose name is John Dougherty) and presented all the documents which were sent to me in company with your letter, which were read and received as evidence by him. I also caused a sailor who had served on board the "Romp," and who was at that time in hospital at this place, to be summoned, as also the Editor of the "American" newspaper, in which Taylor's letter had appeared, bearing date at "Baltimore, the 10th of July, 1816;" all of whom were examined on oath before the Justice. The sailor was cautioned not to any probable cause to believe he was concerned with, or advised Squire Fisk to commit the acts of piracy which were committed by him on his late cruize, and as Taylor never was on board the "Romp" from the time she left Baltimore. Thus ended this case, as far as I have gone.

* * * * *

(Signed) ELIAS GLENN.

No. 4.

Earl Russell to Mr. Adams.

Sir, *Foreign Office, August* 30, 1865.

HAVING purposely delayed an answer to your letter of the 20th of May, I now resume our correspondence at a time when the civil war has entirely ceased; when the whole territory of the United States is subject to the Government of the Union, and the United States have not an enemy in the world. I resume it, therefore, at a time such as was foreseen in your letter of the 23rd of October, 1863, "favourable for a calm and candid examination by either party of the facts or principles involved in cases like the one in question."*

I resume it also at a time when Mr. Seward has recovered from the injuries he received from an accident, and the wounds inflicted by an assassin, and is therefore able to apply his remarkable powers of mind to the questions at issue; I take this opportunity of saying that no one rejoices more than myself at this happy recovery from injuries so serious.

In continuing, in this state of affairs, our correspondence, I must again express my satisfaction at finding that you do justice to the impartial intentions of Her Majesty's Government. I must here repeat that you have never permitted yourself to doubt the favourable disposition of the Queen's Ministers to maintain amicable relations with the Government of the United States; and you attribute the avoidance of the gravest of complications to a full conviction that Her Majesty's Government has never been animated by any aggressive disposition towards the United States, but that, on the contrary, it has steadily endeavoured to discountenance, and in a measure to check, the injurious operations of many of Her Majesty's subjects.†

This decisive testimony from a person of your high character, who has now for four years held the confidential position of Minister of the United States accredited to Her Majesty, and has thereby been enabled to judge of the intentions of Her Majesty's Government throughout this long and destructive contest, is most gratifying to Her Majesty's

* Parliamentary Paper, North America, No. 1, 1864.

† Mr. Adams, April 7, 1865.

Government. It is most satisfactory to know that you share in none of those suspicions and endorse none of those charges of an unfriendly and unfair disposition on the part of Her Majesty's Government, with which public writers and speakers have endeavoured to poison the public mind in the United States, and to produce ill-will and hatred between the two nations.

The question then, as I understand it, is now reduced to these terms: whether Her Majesty's Government have judged rightly the state of a friendly nation disturbed by a formidable insurrection, and whether they have correctly applied the law of nations in respect to their duties towards that friendly nation.

In recapitulating your statements on this subject, you say "that the injuries thus received by a country which has meanwhile sedulously endeavoured to perform all its obligations, owing to the imperfection of the legal means at hand to prevent them, as well as the unwillingness to seek for more stringent powers, are of so grave a nature as in reason and justice to constitute a valid claim for reparation and indemnification."

Differing, as Her Majesty's Government do, from your statement of the facts upon which the judgment of the two Governments is to be ultimately formed, I lay down with confidence the following propositions:—

1. That the history of modern nations affords no example of an insurrection against a central Government so widely extended, so immediate in its operation, so well and so long prepared, so soon and so completely furnished with the machinery of civil Government, a national representation, generals and officers of high military reputation, armies fully equipped and fortifications recently in possession of the established Government.

2. That intelligence reached Her Majesty's Government, in the spring of 1861, that seven combined States had declared in favour of this insurrection; that three more States, including the great and powerful state of Virginia, were preparing to join them; that these States commanded upwards of 3,000 miles of sea-coast; that they comprised more than 5,000,000 of people, exclusive of the negro slaves; that the President of the insurgent Government had proclaimed his intention of issuing letters of marque and reprisal; that the President of the United States, on the other hand, had proclaimed his intention to establish a blockade of all the ports of the Southern States; and that in these circumstances the commander of Her Majesty's naval forces on the North American station earnestly solicited instructions for his guidance.

3. That in view of these extraordinary events, unexpected and undesired, Her Majesty decided to proclaim her neutrality in this contest; to allow the belligerent blockade of more than 3,000 miles of coast, including of course the right of search, detention, and capture on the part of the United States, and on the other hand, as in duty bound, to recognize in the so-called Confederate States the rights of a belligerent Power.

4. That Her Majesty's Government put in force with fairness and impartiality the neutrality they had proclaimed.

5. That the Foreign Enlistment Act, which is intended in aid of the duties and rights of a neutral nation, can only be applied when a ship is armed or fitted out, or begun to be armed or fitted out, and even in that case only when proof can be obtained that the ship so armed or equipped, or begun to be armed or equipped, is intended for the service of a Power at war with a friend or ally of Her Majesty.

6. That in the instance of the "Oreto," the case justifying the detention of the vessel was not complete; and in the case of the "Alabama," the proof was declared to be complete only on the very morning when the owners of the "Alabama," having by some means obtained information of what was intended, got away on a false pretence.

7. That the "Oreto" was begun to be built here, was afterwards detained and tried at Nassau, was acquitted, and was afterwards completed at Wilmington, a port of the Confederates.

8. That the iron-clad rams were detained, and afterwards seized at Birkenhead; that the so-called "Canton" or "Pampero" was prosecuted and convicted in Scotland; that the "Victor," afterwards the "Rappahannock," was forced to take refuge at Calais in order to avoid seizure, and till the close of the war never appeared on the seas.

9. That it is not enough to say that the Foreign Enlistment Act might have been amended and made more efficient, unless it be shown that the amendments suggested would have been clearly efficient, and would have been consistent with the laws of a free country.

10. That nothing but the most extensive employment of spies and informers, and the most arbitrary powers of detention and seizure on the most vague and slight suspicion, could have prevented a British or American merchant, in combination with a Confederate enemy of the United States, from sending an unarmed ship to distant neutral waters, from sending arms to the same waters, and from combining the ship and the arms in a hostile cruizer against the commerce of the United States.

11. That the "Shenandoah" was dispatched and armed in this manner.

12. That there is no reason or ground whatever to accuse Her Majesty's Government of failure in the performance of their international obligations during the four years of civil war, and consequently no valid claim can be made for reparation and indemnification.

With respect to your allegation that the concession of belligerent rights to the Confederates was "precipitate and unprecedented," I answer both epithets by saying, first, that our declaration followed, and did not precede, your own declaration of the intended blockade of six or seven considerable ports, and the declaration of an intention on the part of the Confederates to issue letters of marque; and, secondly, that a sudden insurrection of such magnitude being unprecedented, our recognition of its existence was necessarily likewise unprecedented.

But let me refer for a short time both to the law laid down by your own Courts on this subject, and the state of facts as shown by official documents. The Judgment of the Supreme Court of the United States given in 1862 ("Black's Reports, Supreme Court," vol. ii, pp. 666–670) lays down with equal sense and learning the following propositions:—

"The right of prize and capture has its origin in the *jus belli*, and is governed and adjudged under the law of nations. *To legitimate the capture of a neutral vessel or property on the high seas, a war must exist de facto*, and the neutral must have a knowledge or notice of the intention of one of the parties belligerent to use this mode of coercion against a port, city, or territory, in the possession of the other."

"The parties belligerent in a public war are independent nations; but it is not necessary to constitute war that both parties should be acknowledged as independent nations or sovereign States. *A war may exist when one of the belligerents claims sovereign rights as against the other.*"

"A civil war is never solemnly declared; it becomes such by its accidents—the number, power, and organization of the persons who originate and carry it on. When the party in rebellion occupy and hold in a hostile manner a certain portion of territory; have declared their independence; have cast off their allegiance; have organized armies; have commenced hostilities against the former Sovereign, the world acknowledges them as belligerents, and the contest as a war."

"'A civil war,' says Vattel, 'breaks the bonds of society and Government, or at least suspends their force and effect; it produces in the nation two independent parties, who consider each other as enemies, and acknowledge no common judge. Those two parties, therefore, must necessarily be considered as constituting, at least for a time, two separate bodies—two distinct societies. Having no common superior to judge between them, they stand in precisely the same predicament as two nations who engage in a contest and have recourse to arms.'

"As a civil war is never publicly proclaimed, *eo nomine*, against insurgents, its actual existence is a fact in our domestic history which the Court is bound to notice and to know. The true test of its existence, as found in the writings of the sages of the common law, may be thus summarily stated: "When the regular course of justice is interrupted by revolt, rebellion, or insurrection, so that the Courts of Justice cannot be kept open, *civil war exists*, and hostilities may be prosecuted on the same footing as if those opposing the Government were foreign enemies invading the land."

"By the Constitution, Congress alone has the power to declare a national or foreign war. It cannot declare war against a State, or any number of States, by virtue of any clause in the Constitution. The Constitution confers on the President the whole executive power. He is bound to take care that the laws be faithfully executed. He is Commander-in-chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States. He has no power to initiate or declare a war either against a foreign nation or a domestic State. But by the Acts of Congress of the 28th February, 1795, and 3rd March, 1807, he is authorized to call out the militia, and use the military and naval forces of the United States in case of invasion by foreign nations, and to suppress insurrection against the Government of a State or of the United States.

"If a war be made by invasion of a foreign nation, the President is not only authorized, but bound, to resist force by force. He does not initiate the war, but is bound to accept the challenge without waiting for any special legislative authority. And whether the hostile party be a foreign invader, or States organized in rebellion, it is none the less a war, although the declaration of it be 'unilateral.' Lord Stowell (1 Dodson, 247) observes, 'It is not the less a war on *that account*, for war may exist without a declaration on either side.' It is so laid down by the best writers on the law of nations. A declaration of war by one country only is not a mere challenge to be accepted or refused at pleasure by the other."

"This greatest of civil wars was not gradually developed by popular commotion, tumultuous assemblies, or local unorganized insurrections. However long may have been its previous conception, it nevertheless sprung forth suddenly from the parent brain, a Minerva in the full panoply of war. The President was bound to meet it in the shape it presented itself without waiting for Congress to baptise it with a name, and no name given to it by him or them could change the fact.

"It is not the less a civil war, with belligerent parties in hostile array, because it may be called an 'insurrection' by one side, and the insurgents be considered as rebels or traitors. It is not necessary that the independence of the revolted province or State be acknowledged in order to constitute it a party belligerent in a war according to the law of nations. Foreign nations acknowledge it as war by a declaration of neutrality. The condition of neutrality cannot exist unless there be two belligerent parties. In the case of the 'Santissima Trinidad' (7 Wheaton, 337), this Court says: 'The Government of the United States has recognized the existence of a civil war between Spain and her Colonies, and has avowed her determination to remain neutral between the parties. Each party is therefore deemed by us a belligerent nation, having, so far as concerns us, the sovereign right of war.'

"The law of nations is also called the law of nature; it is founded on the common consent, as well as the common sense, of the world. It contains no such anomalous doctrine as that which this Court are now for the first time desired to pronounce, to wit, that insurgents who have risen in rebellion against their Sovereign, expelled her Courts, established a revolutionary Government, organized armies, and commenced hostilities, are not *enemies* because they are *traitors;* and a war levied on the Government by traitors, in order to dismember and destroy it, is not a *war* because it is an 'insurrection.'

"Whether the President, in fulfilling his duties as Commander-in-chief in suppressing an insurrection, has met with such armed hostile resistance, and a civil war of such alarming proportions, as will compel him to accord to them the character of belligerents, is a question to be decided *by him*, and this Court must be governed by the decisions and acts of the political departments of the Governments to which this power was entrusted. He must determine what degree of force the crisis demands. *The proclamation of blockade is itself official and conclusive evidence to the Court that a state of war existed which demanded and authorized a recourse to such a measure under the circumstances peculiar to the case.*"

The course of Her Majesty's Government followed the course of events in America.

It appears by the "Times" of 3rd May, 1861, that I stated in the House of Commons on the preceding day (2nd May), "Her Majesty's Government heard the other day that the Confederated States have issued letters of marque, and to-day we have heard that it is intended there shall be a blockade of all the ports of the Southern States."

On the 6th of May, I stated in the House of Commons the intention of the Government, formed after due deliberation, to recognize the Southern States as belligerents.

On the 10th May, I received a despatch from Lord Lyons making the following announcement, "I have the honour to inclose copies of a proclamation of the President of the Southern Confederacy inviting application for letters of marque, and also a proclamation of the President of the United States declaring that Southern privateers will be treated as pirates, *and announcing a blockade of the Southern ports.*"

Thereupon the intention of Her Majesty's Government previously announced was carried into effect, and the Proclamation of the 13th May, 1861, was issued.

It is very remarkable that an English schooner, the "Tropic Queen," was captured for a breach of blockade, consisting in the act of lading her cargo on the 13th and 14th of May, 1861.

The offence in this case was committed on the very day that the Queen acknowledged the existence of civil war. The Court in giving judgment referred to the notorious facts of the secession of the Southern States, and proceeded thus:—

"These facts, as set forth by the President, with the assertion of the right of blockade, amount to a declaration that civil war exists. *Blockade itself is a belligerent right, and can only legally have place in a state of war,*" &c.

What you contend for, I imagine, both as to the commencement of the war and as to its close, is that the United States of America had a full claim to exercise all the rights of belligerents, but that Great Britain had no just claim to exercise any of the rights of neutrals.

This position, however, Great Britain never can admit.

Recognitions by the United States of belligerent rights belonging to insurgents have been frequent: Buenos Ayres, Colombia, Mexico, have been acknowledged by the United States to have belligerent rights against Spain; Brazil and Artigas against Portugal;

Texas against Mexico. But in no case have these insurgent forces sprung up at once fully armed to the amount of five millions of men.

With respect to the "Oreto" and the "Alabama," I have only again to repeat that up to the time when the "Oreto" left these shores, and up to the day when the "Alabama" escaped on a false pretence, the Law Officers of the Crown had not by any legal opinion enabled Her Majesty's Government to give any orders for the detention of these vessels.

I entirely concur with you that there was no use in giving orders on the 31st of July for detaining a vessel which had made its escape on the 29th. But up to the 29th the Law Officers had not thought the evidence sufficient to justify detention; and I cannot by any means admit what you seem to insinuate, that the Law Officers were deficient either in knowledge of the law or in willingness to apply it. Her Majesty's Government fully accept the responsibility of their opinions.

And it will be observed that the Law Officers, in addition to the reports of the Custom-house officers, were in possession of all the information which it was in your power to furnish.

You allude to the case of the American Revolution, and the conduct of France in not recognizing the belligerent rights of the insurgents then in rebellion against the British Crown.

Let us extend our view somewhat wider. There have been, in the period beginning in 1765 and ending in 1865, three cases of a somewhat similar kind.

The first is that of the American Revolution; the second is that of the revolt of the South American Republics; the third is that of the civil war which from 1861 to 1865 desolated the United States of North America.

In the first case the Court of France sought only to injure Great Britain.

In this spirit, in 1776, before the declaration of independence, the French Government put itself in connexion with Arthur Lee through Baron de Beaumarchais, and with Benjamin Franklin through Dubourg, offering to the United States the supplies they needed. When, however, the news of Burgoyne's surrender reached France, the French Government took a more decided course. In February 1778 they signed two Treaties, one of commerce and one of alliance, with the United States of America. Nor were the motives of these acts on the part of Louis XVI by any means concealed.

M. Gerard was ordered to declare on the King's part to Arthur Lee and Silas Dease, the Commissioners of the United States, "that His Majesty was fixed in his determination not only to acknowledge, but to support our independence by every means in his power; that in doing this he might probably soon be engaged in a war, with all the expenses, risks, and damages usually attending it, yet he should not expect any compensation from us on that account, nor pretend that he acted wholly for our sakes; *since besides his real goodwill, it was manifestly the interest of France that the power of England should be diminished by our separation from it.*"*

I am not arguing whether this conduct was justifiable; I am only showing that France in the American war took a part hostile to Great Britain, in order to promote her own interests.

In the same spirit, in order to promote the interests of France, and injure those of Great Britain, the Government of Louis XVI, two years after the date of the American declaration of independence, made an alliance offensive and defensive with the United States.

Such conduct, however it may be excused or even admired in Europe or in America, could not form a precedent for Great Britain in the late civil war. Her Majesty's Government had no wish to favour the separation of the Southern States, with a view to injure the power or check the progress of the United States. It has been the wish of Her Majesty's Government, who had received no injury from either the Northern or the Southern States, and was living in amity with both, when hostilities of the most violent character commenced between them, to preserve an honest and impartial neutrality.

The next case to which we have looked has been the insurrection of the South American Republics against Spain, and of the Empire of Brazil against Portugal.

This insurrection began slowly and partially at Buenos Ayres on the 14th of May, 1810, by the formation of a Junta and the deposition of the Viceroy; the Government, however, being carried on in the name of the King of Spain until January 1813, when a provisional Government was established. On the 9th of July, 1816, the provinces of the Rio de la Plata issued a declaration of independence, and on the 20th of April, 1819, a Constitution was published by the Congress.

In 1811 the insurrection commenced in Paraguay, the Spanish Governor was deposed,

* See "Diplomacy of the Revolution." By William Henry Trescot: New York, 1852.

and a Government established under the direction of Dr. Francia. On the 12th of October, 1813, a Constitution was proclaimed.

In 1811, civil war commenced in Chile, but the Declaration of Independence was not issued until the 12th of February, 1818, and the war continued until 1820.

The revolution in Peru commenced in 1821, a Declaration of Independence being issued on the 15th of July, 1821, and the war continuing until 1824.

On the 15th of September, 1821, Guatemala declared her independence, which, however, was not finally established until the 1st of July, 1823.

The revolution in Colombia (including Venezuela, Equator, and New Granada) commenced April 19, 1810, at Caracas. On the 5th of July, 1811, the Congress declared Colombia an independent State, but the war with Spain continued until November 1823.

In 1815 the President of the United States allowed belligerent rights to the South American States, and proclaimed a strict neutrality. This Proclamation was recognized by the Supreme Court and other Tribunals of the United States as the guide for their decisions.

It is here that Her Majesty's Government have looked for precedents. The United States had been from 1793 to 1815, with the exception of two years, neutrals amid the great wars of Europe. Their wisest Statesmen and their most learned Judges had studied the Law of Nations profoundly with a view to extract from that law the rules for their own conduct, and the elements of their judgment on the conduct of others.

In 1794 the United States' Government had admitted the principle that, if after prohibiting the equipment and armament of cruizers in American ports, they abstained from using the means in their power to restore prizes captured and brought into United States' ports by cruizers subsequently equipped or armed in those ports in violation of the prohibition, they were bound to give compensation for such prizes; but they appear to have limited their admission of liability to that particular class of cases.

When, therefore, the Continent upon which they have erected a free and powerful State was convulsed with civil war, the President, Secretaries of State, Chief Justices, and other Judges of the United States, doubtless considered maturely the course they were bound to pursue.

You seem to have supposed that my meaning in reference to Portugal was that the United States in that case had been in the wrong, and therefore if Great Britain had been wrong in the present instance, the United States could not reproach us. But no such argument entered into my conception. My argument was this:—

Portugal, during the war of South American independence, complained of captures by American vessels of war built in the United States, which had not been detained and seized and condemned in the ports of the United States.

The answer of Mr. Adams to these complaints was, as I conceived, valid and conclusive. He said in effect, "Had you been able to prosecute and convict in the United States, our Courts were open to you, and every facility was afforded you. But you cannot make the Government of the United States responsible for the acts of men on the high seas over whom the United States exercise no jurisdiction."

Having repeated the very terms used by Mr. Adams, I say, "To this most just principle, which was again referred to by Mr. Secretary Clayton, and maintained against the Government of Portugal to this hour, the Government of the United States must be held still to adhere." In fact, there was no motive to bias their judgment on this bloody controversy. Spain and Portugal, weakened by bad government, and exhausted by recent struggles for existence, could inspire no apprehension, and offer no temptation to the rising and vigorous power of the Great Western Republic. The conduct of the United States' Government, therefore, is eminently deserving of our study, and, I may add, of our respect.

But as you have commented at some length on the treatment of Portugal by the United States during the war of South American independence, I will enter more fully than I had before done into that question.

The correspondence to which I refer began in December 1816, and closed with a letter of the Portuguese Minister in November 1850. It cannot be pretended that the reclamations of a friendly Power extending over thirty-four years did not receive the gravest attention of the American Government.

In his first letter the Portuguese Envoy at Washington complains that Mr. Taylor of Baltimore, an American citizen, had directed Captain Fish, of the "Romp," an American ship, to cruize as a privateer under the insurgent colours of Buenos Ayres against the subjects of Portugal.

He adds, "The 18th of last month (November) the frigate 'Clifton,' Captain Davis armed with thirty-two guns of various calibres, and a crew of 200 men, sailed from

Baltimore for Buenos Ayres. This ship anchored below that port, where it has remained for about a fortnight or more waiting for the American ship 'Independence of the South,' armed with sixteen guns, and for the ships 'Romp,' 'Tachahoe,' 'Montezuma,' and 'Spanker,' and two others newly constructed, which were fitting with great activity and which had not yet got names. All were to sail together to cruize in the Eastern and Western Seas of South America, under the insurgent colours of Buenos Ayres. No doubt can be entertained of their instructions being the same as those of Captain Fish, and that they will act hostilely against Portuguese ships."

The Portuguese Envoy, Joseph Correa de Serra, prays for an amendment of the law of the United States with a view to render it more efficient in such cases. A law having been passed by Congress for this purpose, the Portuguese Envoy, in May 1817, requests that the President will desire the United States' officers on the outposts to use greater vigilance.

In March 1818 he complains that three Portuguese ships have been captured "by privateers fitted in the United States, manned by American crews, and commanded by American captains, though under insurgent colours."

In October of the same year the Portuguese Envoy complains that a Portuguese prize is fitting in the Patuxent to cruize against Portuguese commerce.

In November of the same year the Portuguese Minister states to Mr. Adams that, obliged by his duty to inquire into the nature of the armed ships that had of late insulted the flag of his Sovereign, and committed incalculable depredations on the property of his subjects, he had found, to his sorrow, multiplied proofs that many of them were owned by citizens of the United States, and had been fitted in the ports of the Union. He goes on to complain of the difficulties in the way of prosecutions, but compliments the President on his "honourable earnestness."

In December of the same year the Portuguese Minister complains of the armed vessel "Irresistible," which had been committing "depredations and unwarrantable outrages on the coast of Brazil." He says, it is proved by depositions that John Daniels, the commander of the ship, is an American, and all the crew are Americans. He prays that, if the ship should come into an American port, means may be taken to bring the said captain and crew within reach of the laws made to punish such scandalous proceedings.

In March 1819 M. Correa de Serra states, as Minister of his Sovereign, that Artigas, whose flag is frequently waving in the port of Baltimore, and which is carried by Portuguese prizes in the ports of the Union, has been expelled far from the countries which could afford him the power of navigating, and has not a foot length of sea-shore in South America where he can show himself. He prays that the Artigan flag may be declared illegal.

In November 1819, after expressing his gratitude for the proceedings of the Executive, the same Minister complains that the evil is rather increasing. He is in possession of "a list of fifty Portuguese ships, almost all richly laden, some of them East Indiamen, which had been captured during a period of profound peace. One city alone on the coast of the United States had twenty-six armed ships which preyed on Portuguese commerce, "and a week ago three armed ships of this kind were in that port waiting for a favourable occasion for sailing on a cruize."

In June 1820, the Portuguese Minister complains that a Portuguese prize had been sold by auction at Baltimore to Captain Chase (a notorious privateersman), and was to be immediately fitted out as a privateer to cruize against the Portuguese Indiamen.

In July of the same year, the Portuguese Minister sends a list of "the names and value of nineteen Portuguese ships and their cargoes, taken by *private armed ships, fitted in the ports of the Union, by citizens of those States.*" His Sovereign wishes the affair to be treated with that candour and conciliating dignified spirit which becomes two Powers who feel a mutual esteem, and have a proper sense of their moral integrity. "In this spirit I have the honour to propose to this Government to appoint Commissioners on their side, with full powers to confer and agree with His Majesty's Ministers on what reason and justice demand."

In December 1820 the Chevalier Amado Grehon transmitted to Mr. Adams a copy of twelve claims, with the value of the ships, desiring him to add them to the list furnished by the Chevalier Correa de Serra.

In April 1822 the same Minister repeats the proposal made in July 1820, "of having recourse to Commissaries chosen by both Governments for the purpose of arranging the indemnities justly due to Portuguese citizens for the damage which they have sustained by reason of piracies supported by the capital, and the means of citizens of the United States: an essential condition which, in this way repairing the past, secures also the future."

On the 25th of May, 1850, the Chargé d'Affaires of Portugal writing to the Secretary of State of the United States declares, "The Undersigned is authorized to come to an understanding with the new Secretary of State upon the subject, and to submit the voluminous documents and papers in his possession to the joint examination and decision of the Commissioners or Arbitrators appointed by the American Government on the one part, and the Undersigned on behalf of Her Majesty's Government on the other," &c.

Having thus related the complaints of the Portuguese Government during the years which elapsed from 1816 to 1822, and from 1822 to 1850, I will now give from the organs of the United States the answers which that Government gave to these solemn and reiterated complaints.

In March 1817 the Secretary of State transmitted to the Portuguese Minister at Washington an Act of Congress passed on the 3rd of that month to preserve more effectually the neutral relations of the United States. On the 14th of March, 1818, in answer to a letter complaining of the capture of three Portuguese ships by privateers, Mr. Adams says:—

"The Government of the United States having used all the means in its power to prevent the fitting out and arming of vessels in their ports to cruize against any nation with whom they are at peace, and having faithfully carried into execution the laws enacted to preserve inviolate the neutral and pacific obligations of this Union, cannot consider itself bound to indemnify individual foreigners for losses by captures, over which the United States have neither control nor jurisdiction. For such events no nation can in principle, nor does in practice, hold itself responsible. A decisive reason for this, if there were no other, is the inability to provide a tribunal before which the facts can be proved.

"The documents to which you refer must of course be *ex parte* statements, which in Portugal or in Brazil, as well as in this country, could only serve as a foundation for actions in damages, or for the prosecution and trial of the persons supposed to have committed the depredations and outrages alleged in them. Should the parties come within the jurisdiction of the United States, there are Courts of Admiralty competent to ascertain the facts upon litigation between them, to punish the outrages which may be duly proved, and to restore the property to its rightful owners should it also be brought within our jurisdiction, and found, upon judicial inquiry, to have been taken in the manner represented by your letter. By the universal law of nations the obligations of the American Government extend no further."

The Secretary of State in subsequent letters promises to prosecute in the United States' Courts persons chargeable with a violation of the laws of the United States in fitting out and arming a vessel within the United States for the purpose of cruizing against the subjects of the Queen of Portugal.

To the proposal to appoint Commissioners made in July 1820, the United States' Secretary of State, on the 30th of September of the same year, replies as follows:—

"The proposal contained in your note of the 16th of July last has been considered by the President of the United States with all the deliberation due to the friendly relations subsisting between the United States and Portugal, and with the disposition to manifest the undeviating principle of justice by which this Government is animated in its intercourse with all foreign Governments, and particularly with yours. I am directed by him to inform you that the appointment of Commissioners to confer and agree with the Ministers of His Most Faithful Majesty upon the subject to which your letter relates, would not be consistent either with the Constitution of the United States, *nor with any practice usual among civilized nations.*"

He proceeds to say:—

"If any Portuguese subject has suffered wrong by the act of any citizen of the United States, within their jurisdiction, it is before those tribunals that the remedy is to be sought and obtained. For any acts of citizens of the United States, committed out of their jurisdiction and beyond their control, the Government of the United States is not responsible.

"To the war in South America, to which Portugal has for several years been a party, the duty and the policy of the United States has been to observe a perfect and impartial neutrality."

The same reply is again given to Chevalier Amado Grehon in a letter dated the 30th of April, 1822:—

"I am at the same time directed to state, that the proposition of the Chevalier Correa de Serra, in his note of the 16th of July, 1820, for the appointment of Commissaries chosen by both Governments to arrange indemnities claimed by Portuguese citizens for damages stated by them to have been sustained by reason of piracies supported by the

capital and means of citizens of the United States, cannot be acceded to. It is a principle well known and well understood that no nation is responsible to another for the acts of its citizens, committed without its jurisdiction and out of the reach of its control."

The policy of the United States is further explained in a despatch of Mr. Secretary Adams to General Dearborn dated the 25th of June, 1822. It is there set forth that in the critical state of the relations of the two countries, it is necessary to employ the agency of a person fully qualified to represent the interests of the United States. It is affirmed that whenever Portuguese captured vessels have been brought within the jurisdiction of the United States, decrees of restitution have been pronounced.

In referring, however, to the lists of captures and the demand of a joint Commission to determine and assess the damages to be paid by the United States, the former refusal was thus repeated: "As there was no precedent for the appointment of such a Commission under such circumstances, and as not a single capture had been alleged for which the United States were justly responsible, this proposal was of course denied; and nothing further was heard upon the subject until the 1st of April last, when a note was received from the present Chargé d'Affaires of Portugal, leading to a correspondence, copies of which are now furnished you."

The correspondence seems not to have been resumed till 1850, when, as has been shown, the demand for a Commission was repeated.

The Secretary of State of the United States thereupon gave this summary and final answer, dated May 30, 1850:—

"The Undersigned is surprised at the re-appearance of these obsolete reclamations, accompanied by the renewal of the ancient proposition to appoint a joint Commission to determine and assess damages, a proposition which was rejected at the time upon substantial grounds; and without the Minister's assurance to that effect, the Undersigned would not have supposed it credible that Portugal seriously cherished any intention to revive them. In reply, therefore, to the note which the Minister of Her Most Faithful Majesty has presented in the name of his Government, the Undersigned must now, by the President's order, inform him that he declines re-opening the proffered discussion."

This despatch is signed "John M. Clayton."

A long and able despatch of the Portuguese Minister at Washington, recapitulating all the grievances of Portugal, dated November 7, 1850, does not appear to have received an answer.

The practice of the United States' Courts during this war of South American Colonies against Spain and Portugal, seems to have been confined to the restitution of prizes actually brought into the ports of the United States. The doctrine of the Courts of Justice upon the subject was thus laid down by Justice Story, in pronouncing the decision of the Supreme Court in the case of the "Amistad de Rues" (5 Wheaton, p. 388). Speaking of the cases of damages, he says:—"When called upon by either of the belligerents *to act in such cases, all that justice seems to require is that the neutral nation shall fairly execute its own laws, and give no asylum to the property unjustly captured. It is bound, therefore, to restore the property, if found within its ports; but beyond this, it is not obliged to interpose between the belligerents.* If, indeed, it were otherwise, there would be no end to the difficulties and embarrassments of neutral Prize Tribunals. They would be compelled to decide in every variety of shape upon marine trespasses, *in rem* and *in personam* between belligerents, without possessing adequate means of ascertaining the real facts, or of compelling the attendance of foreign witnesses, and thus they would draw within their jurisdiction almost every incident of prize. Such a course of things would necessarily create irritations and animosities, and very soon embroil neutral nations in all the controversies and hostilities of the conflicting parties. Considerations of public policy come, therefore, in aid of what we consider the law of nations on this subject; and we may add that Congress, in its legislation, has never passed the limit that is here marked out."

To the same effect is the doctrine laid down by the Supreme Court in the case of the brig "Alerta":*—

"A neutral nation may, if so disposed, without a breach of her neutral character, grant permission to both belligerents to equip their vessels of war within her territory. But without such permission the subjects of such belligerent Powers have no right to equip vessels of war, or to increase or augment their force, either with arms or with men, within the territory of such neutral nation. Such unauthorized acts violate her sovereignty and her rights as a neutral. All captures made by means of such equipments are illegal in relation to such nation, and it is competent to her Courts to punish the offenders,

* Curtis' "Reports," vol. iii, p. 382.

and, in case the prizes taken by her are brought *infra præsidia*, to order them to be restored."

In comparing the course pursued by the Government and Congress of the United States in the case of the South American Civil War with that pursued by Her Majesty's Government in the case of the North American Civil War, the following differences are perceptible:—

The number of vessels built and fitted out in American ports which successfully evaded the provisions of the laws made to restrain them, and proceeded to cruize against Portuguese commerce, was very great: those which escaped the execution of the similar laws of Great Britain were very few. In the former case these illegal cruizers must have been thirty or forty; in the latter, three or four.

In the case of the South American Civil War the cruizers in question were generally commanded by citizens of the United States, and navigated by crews of the neutral nation: in the case of the North American Civil War, no English captain appears to have commanded a cruizer; and the crews were generally, though not altogether, from the States in insurrection.

But there is one essential point on which the United States and Great Britain appear entirely to agree. The United States when neutral refused to be responsible for captures at sea not brought within their jurisdiction, or to listen to a proposal to appoint a Commission to assess damages; the Government of the United Kingdom have taken a similar course.

It is true that in applying the principle there has been a divergency of practice. The United States admitted the prizes to their harbours, but restored them, if practicable, when called upon by the Decrees of Courts of Law to their owners. The Government of Great Britain refused admission altogether to such prizes.

The principle is the same, and it is hardly worth while to dispute which course was most inconvenient to the insurgent cruizers. It appears to me, I confess, that the course pursued by Her Majesty's Government tended more effectually to discourage insurgent cruizers than that pursued by the United States.

But as to the principle involved, let me ask you, supposing a merchant or passenger vessel belonging to the United States were to go to the Coast of Madagascar, and were there to meet a ship from Boston with cannon and muskets, and the merchant ship being then armed were to take part against Brazil in the war between Brazil and Paraguay;—let me ask, I say, whether your Government would think themselves bound to afford reparation to Brazil for all the captures made by that ship? Yet such is the case of the "Shenandoah."

It seems to Her Majesty's Government that if the liability of neutral nations were stretched thus far, this pretension, new to the law of nations, would be most burthensome, and, indeed, most dangerous.

A maritime nation whose people occupy themselves in constructing ships and cannon and arms might be made responsible for the whole damages of a war in which that nation had taken no part.

I am thankful, therefore, to Mr. Adams for having in 1818, 1820, and 1822 shielded maritime Powers by his conclusive argument from such alarming liabilities.

You say, indeed, that the Government of the United States altered the law at the urgent request of the Portuguese Minister.

But you forget that the law thus altered was the Law of 1794, and that the Law of 1818 then adopted was, in fact, so far as it was considered applicable to the circumstances and institutions of this country, the model of our Foreign Enlistment Act of 1819.

Surely, then, it is not enough to say that your Government, at the request of Portugal, induced Congress to provide a new and more stringent law for the purpose of preventing depredations, if Great Britain has already such a law. Had the Law of the United States of 1818 not been already in its main provisions adopted by our Legislature, you might reasonably have asked us to make a new law; but surely we are not bound to go on making new laws, *ad infinitum*, because new occasions arise.

The fact is, this question of a new law was frequently discussed, but the conclusion arrived at was that, unless the existing law after a sufficient trial should be proved to be practically inadequate, the object in view would not be promoted by any attempt at new legislation. The existing law has, in fact, not proved inadequate, when circumstances of strong suspicion have been so far established as to justify the Government in ordering the detention of the suspected vessels, and it is by no means certain that any possible alteration of the law would enable more to be done in the way of prevention than this. That power was exercised in the case of the rams in the Mersey, and of the "Canton" or "Pampero" in the Clyde; and in neither case has the power exercised been censured or revoked either in a court of law or by any vote of Parliament.

If it be said, as some persons of high authority in Parliament have said, that the executive Government of the United Kingdom exercised in these cases an illegal power, my answer is, that whatever force such an argument might have in a court of law or in Parliament, it can have none in the mouth of a Secretary of State of the United States. For whether exercised legally or illegally, the power was equally effective in protecting the commerce and the harbours of the United States against ships built and equipped in British ports.

With respect to orders to refuse entrance into our ports to all ships partly fitted up in the United Kingdom for the service of the Confederates, there was extreme difficulty in giving any such orders.

During the South American Civil War, it was found practicable to bring to New York or Boston, witnesses to prove that a South American cruizer had been built and armed in Baltimore. But to carry witnesses from Liverpool to Nassau or Jamaica to prove the building of the "Alabama" at Birkenhead would have been a fruitless effort.

To produce copy of a conviction of the "Alabama" was impossible, as she had escaped conviction by flight; to carry witnesses to the Cape of Good Hope, to Melbourne, and elsewhere, for the purpose of showing that her owners had violated the Foreign Enlistment Act, was equally out of the question.

No less impracticable would it have been to say to our Governors, "You may admit the 'Alabama,' you may admit the 'Stonewall,' but you must not admit the 'Florida.'"

In your letter of the 23rd of October, 1863, you were pleased to say that the Government of the United States is ready to agree to any form of arbitration.

Her Majesty's Government have thus been led to consider what question could be put to any Sovereign or State to whom this very great power should be assigned.

It appears to Her Majesty's Government that there are but two questions by which the claim of compensation could be tested. The one is: Have the British Government acted with due diligence, or, in other words, with good faith and honesty, in the maintenance of the neutrality they proclaimed? The other is: Have the Law Officers of the Crown properly understood the Foreign Enlistment Act when they declined, in June 1862, to advise the detention and seizure of the "Alabama," and on other occasions when they were asked to detain other ships building or fitting in British ports?

It appears to Her Majesty's Government that neither of these questions could be put to a foreign Government with any regard to the dignity and character of the British Crown and the British nation.

Her Majesty's Government are the sole guardians of their own honour. They cannot admit that they may have acted with bad faith in maintaining the neutrality they professed. The Law Officers of the Crown must be held to be better interpreters of a British Statute than any foreign Government can be presumed to be. Her Majesty's Government must therefore decline either to make reparation and compensation for the captures made by the "Alabama," or to refer the question to any foreign State.

Her Majesty's Government conceive that if they were to act otherwise, they would endanger the position of neutrals in all future wars.

Her Majesty's Government are, however, ready to consent to the appointment of a Commission to which shall be referred all claims arising during the late civil war, which the two Powers shall agree to refer to the Commissioners.

I cannot conclude without taking this opportunity to ask you to join with Her Majesty's Government in rejoicing that the war has ended without any rupture between two nations which ought to be connected by the closest bonds of amity.

The Government of the United States have carried on to a successful issue, with great fortitude and perseverance, a civil war of unequalled magnitude.

In the course of this war they have resolved to abolish slavery. The British nation have always entertained, and still entertain, the deepest abhorrence of laws by which men of one colour were made slaves of men of another colour. The efforts by which the United States' Government and Congress have shaken off slavery have, therefore, the warmest sympathies of the people of these Kingdoms.

The same sympathies will accompany the President and Congress of the United States in endeavouring to reorganize the Southern States on the basis of equal freedom.

Nor is there any question in dispute which seems likely to disturb the friendship of two nations which, the one in Europe, and the other in America, are distinguished for their love of liberty. Let our two nations, therefore, instead of captious discussions, respect the honour and believe in the friendly intentions of each other. In this manner we may preserve unbroken the ties of peace, and exercise a beneficial influence on the future destinies of the nations of the world.

I am, &c.
(Signed) RUSSELL.

No. 5.

Mr. Adams to Earl Russell.—(*Received September* 19.)

My Lord, *Legation of the United States, London, September* 18, 1865.

I HAVE had the honour to receive your note of the 30th of last month, in reply to mine of the 20th of May last.

It gives me great satisfaction to be the medium of communicating to my Government the very friendly assurances of your Lordship. I cannot entertain a doubt that they will be fully appreciated.

In respect to the reference which you have done me the honour to make to me, as having at no time entertained a doubt of the intentions of Her Majesty's Ministers to maintain amicable relations with my Government during the late severe struggle in my country, I am happy to believe that your Lordship has not essentially misunderstood my sentiments. At the same time that I cheerfully confirm such declarations as may have been made by me on that subject in the correspondence I have heretofore had the honour to hold with your Lordship, I trust I may be permitted to claim, on behalf of my own Government, the credit of intentions to the full as amicable. Indeed, without the presence of these elements on both sides, I should have despaired of the possibility of the passage of the two nations in safety through the difficulties presented to them from within, as well as from without.

But whilst I am prompt to respond to your Lordship in the sense attributed to me, I pray permission to guard myself against an inference that might by possibility be drawn from a portion of your language, prejudicial to my maintenance of the course which my Government has seen fit to take in regard to the events which have given rise to the present discussion. Whilst doing the fullest justice to the intentions of Her Majesty's Ministers, I feel equally bound to preclude the supposition that I have ever been satisfied with the measure in which, on too many occasions, they have contented themselves with carrying these intentions into practice. Inasmuch as the relations between nations, not less than between individuals, must depend upon the mode in which they fulfil their obligations towards each other rather than upon their motives, the questions which have grown out of the events of the late war appear to lose little of their gravity from any reciprocal disavowal, however complete, of ill-will on the part of the respective Governments.

I am happy to concur with your Lordship in the opinion that this appears to be a favourable moment for a calm and candid examination of these questions.

Were it not for this consideration I should abstain from further discussion, and content myself with simply transmitting to my Government the conclusion to which Her Majesty's Ministers have arrived, as communicated to me towards the close of your Lordship's note.

But, entertaining as I do a strong impression that in the matter now at issue is involved a question of international comity, based upon grave principles of morals, of universal application, the decision upon which is likely to have a very wide bearing upon the future relations of all civilized nations, and especially those most frequenting the high seas, I feel myself under the necessity of placing upon record the views of it held by the Government which I have the honour to represent, at least to the extent to which the period of my service at this post has enabled me to do them but feeble justice.

In the note which I had the honour to address to your Lordship on the 20th of May last, when recapitulating, in the form of propositions, the argument which made the basis of certain reclamations upon Her Majesty's Government, I submitted, first of all, "that the act of recognition by Her Majesty's Government of insurgents as belligerents on the high seas, before they had a single vessel afloat, was precipitate and unprecedented."

To this affirmation I understand your Lordship now to reply, by candidly admitting the truth of at least one-half of it. In pleading in justification that the insurrection which caused it was unprecedented, you certainly concede that the recognition was so likewise.

It may then be hereafter assumed, as a fact beyond dispute, that no similar act was ever done by one nation towards another with which it was in amity.

With regard to the other term which I took the liberty to use, the word "precipitate," I beg leave to call your Lordship's attention to the ground upon which you proceed to justify the act of recognition. You are pleased to observe that it "followed and did not precede our own declaration of the intended blockade of six or seven considerable ports, and the declaration of an intention on the part of the Confederates to issue letters of marque."

Now, I pray you particularly to note that, if this be the whole case made, your Lordship has gone the length of conceding that Her Majesty's Government actually adopted

this most grave proceeding without the evidence in its possession of any fact whatever upon which to rest it. The statement is simply that a declaration of intentions to act had been made by the respective parties preparing for a struggle.

Hence I feel constrained respectfully to submit it to your Lordship whether in the history of civilized nations there can be found a single instance in which a step of such importance was ever taken by one friendly Government in regard to another, upon a mere presumption of what was going to be done, an assumption of certain acts contemplated, but not performed. It would appear to be the part of calm statesmanship, in cases which cannot fail deeply to affect the interests of a friendly nation, to postpone acting at least until something shall have been actually done to require it. In this instance, there was no certainty, at the time when Her Majesty's Government acted, that either of those declarations of intention would be fulfilled. The result proves that one of them, in point of fact, never was executed. Neither is it all beyond the possibility of belief that the other would have been equally left incomplete, but for this very action of Her Majesty's Government, which precluded all chance of avoiding to have recourse to it. The actual blockade then, so far from being a cause, became actually an inevitable consequence of its policy. With the reluctance of my Government to resort to that measure, and the causes which overcame it, your Lordship must have been too fully acquainted at the time to render it necessary for me to dwell upon this matter farther.

As a still stronger proof of the precipitate nature of that declaration, if any were needed, I pray permission only to refer to your published letter to Lord Lyons, written on the very day the announcement of the step taken by the Government was made by yourself in the House of Commons, the 6th of May, 1861. In that letter your Lordship freely admits that, by reason of the interruption of the communication between New York and Washington, you had not then any information of the precise measures actually taken down to that moment by either of the parties in the struggle "which appeared to have commenced."

Yet in spite of these circumstances, which deprived Her Majesty's Government of all accurate knowledge of the facts, and notwithstanding that there was no apparent cause in any event that had occurred, urgently demanding an immediate decision, it was determined to adopt this step at this time; a step which, however intended, could not, just at the beginning of an undertaking to sap by violence the established authority of a friendly Power, fail to have an influence injurious to the maintenance of that authority and favourable to its overthrow. Considering the nature of the friendly intentions which your Lordship is pleased to take credit for, and in which I fully believe, the very best excuse which I can imagine for this proceeding is that it was precipitate. I should be sorry to be led to the natural inference that would follow my admitting it to have been done with deliberate premeditation. I therefore must respectfully persist, notwithstanding your Lordship's reluctance, in the opinion that I have not failed to give it the epithet which most fittingly belongs to it.

But your Lordship in your note is pleased to justify this extraordinary "unprecedented and precipitate" step on another ground. This is the "magnitude" of the appearance of the insurrection. This certainly corresponds with my impression of the reasoning which you assigned to me in the first conversation which I had the honour to hold with you after my arrival in this country, the 18th of May, 1861. This view is now amplified in the form of the propositions No. 1 and 2 with which your Lordship has now favoured me.

"1. That the history of modern nations affords no example of an insurrection against a Central Government so widely extended, so immediate in its operation, so well and so long prepared, so soon and so completely furnished with the machinery of Civil Government, a national representation, Generals and officers of high military reputation, armies fully equipped, and fortifications recently in possession of the established Government.

2. That intelligence reached Her Majesty's Government in the spring of 1861, that seven combined States had declared in favour of this insurrection; that three more States, including the great and powerful State of Virginia, were preparing to join them; that these States commanded upwards of 3,000 miles of sea-coast; that they comprised more than 5,000,000 of people, exclusive of the negro slaves; that the President of the insurgent Government had proclaimed his intention of issuing letters of marque and reprisal; that the President of the United States, on the other hand, had proclaimed his intention to establish a blockade of all the ports of the Southern States; and that in these circumstances the Commander of Her Majesty's naval forces on the North American Station earnestly solicited instructions for his guidance.

In respect to this, may I be permitted to beg your attention to the fact that, with perhaps the exception of the gross number of the people engaged, I do think myself able

to furnish an example of an insurrection in every particular corresponding to your description, which has occurred within the last century. I do not doubt that my allusion will at once be understood by your Lordship without another word.

Yet, notwithstanding all the points of identity in that case, I cannot find that Her Majesty's Government was met at the outset in 1774, with any announcement, by a foreign power in amity with Great Britain, of a necessity immediately to recognize the insurgents as a belligerent power, because of the magnitude of the struggle, or for any other cause. Neither is there the smallest ground for believing that it would have tolerated the proceeding for one moment, if it had been.

Her Majesty's Government at once resorted without scruple or hesitation to every right ordinarily exercised by a belligerent in a war with a strong power, and was met with a degree of resistance more effective and enduring than any manifested in the late struggle. That resistance too was carried out on the ocean, where alone the interests of distant neutral States are liable to be seriously affected by the domestic strife of any nation, in a manner far more extensive than the late insurgents by their unaided efforts ever could have attempted. Yet a length of time elapsed before any foreign Power, however much inclined, ventured to find in this state of things any reason for considering the people waging such a war as a belligerent power. It furthermore is certain, that if at any time the smallest indication of a leaning that way manifested itself in any of the commercial Powers, it was immediately noted by the British Government for remonstrance and reclamation.

Your Lordship has been pleased to review the conduct of France in this emergency; and to endeavour to set aside the parallel which I attempted in my note, on the ground that that country was animated by a policy decidedly hostile to Great Britain. The fact is doubtless so. But it so happens that this only bears with the more force in my favour on the present argument. Had France, being inclined to injure Great Britain, decided to recognize the insurgents as a belligerent, it would, according to the doctrine now avowed by Her Majesty's Government, have been doing no more than was absolutely necessary and altogether justifiable. Why did it not take this step at once? Unhappily for the example, Great Britain at the outset insisted upon considering her as a friendly Power, and called upon her solemnly to desist from any attempt whatever to recognize the presence of the insurgent force. In proof of this, I beg permission to quote a brief extract from a historical writer well-known to have drawn his statements from official sources. Mr. Adolphus says, that in April 1775, that is, one year after the outbreak of the insurrection, "the friendly disposition of the French Government towards Great Britain had been unequivocally demonstrated; and the expectation that succour would be afforded to the Americans was suppressed by an edict prohibiting all intercourse with them."

It thus appears that no idea was at that early period entertained by the British authorities of any unfriendly disposition on the part of France. So far from being inclined, as your Lordship supposes it might have been, to give aid to the insurrection, which since 1774 had been developing its great proportions, by any recognition of it as a belligerent, the French Sovereign frankly responded to an appeal made Great Britain, by interdicting his people from all relations whatever with the Americans. In other words, the example shows that, on both sides, there was not the remotest conception that a recognition of insurgents as a belligerent, immediately upon the breaking out of the insurrection, could be considered as a justifiable act on the part of a friendly Power.

This brings me to the point at which I am compelled to question the soundness of the proposition upon which your Lordship appears to proceed, to wit: that the action of foreign countries in reference to an insurrection that may take place against the established Government of a friendly Power is to be regulated by a consideration of the magnitude of the numbers that are engaged in the struggle. To my mind there is a difficulty in finding a foundation in sound principles for drawing such a distinction. If I may be permitted to express my own impression, it is that this action of foreign Governments, if presumed to be really friendly, is rather to be based upon something like the same rule which they, whether representing large or small communities, would desire to be applied to themselves when in similar circumstances. The true criterion by which to be guided appears to be rather framed by patient observation of the probabilities of the issue. This can rarely be foreseen at the outset. It is not dependent on the mere accident of numbers. The force which lately overturned the Government at Naples did not seem adequate to the object; yet it was accomplished nevertheless, and foreign nations, consequently, recognized the result.

On the other hand, the numerical force enlisted in the insurrection in the United States seemed large, but time has shown that there never was a moment, whilst it lasted, that it had a chance of success against the resolute perseverance of a far stronger antagonist. For a foreign nation to have recognized in advance the handful of followers

under the lead of General Garibaldi as a belligerent power would have been everywhere regarded as a violation of comity to the Sovereign then ruling at Naples, and interfering to uphold an otherwise desperate undertaking. Yet the new kingdom of Italy was the offspring of this enterprize. On the other hand, the attempt in advance to assume the unlikelihood that the legitimate authorities in the United States would sustain themselves purely because of the magnitude of the forces levied against them, and to make this reason a basis for an "unprecedented and precipitate" act, investing them with the rights of a belligerent all over the world, has ended only in furnishing a historical precedent, against the authority of which I cannot but feel it to be for the peace and the harmony of civilized nations, for all later times, most earnestly to protest.

If I am correct in this view, then the conclusion which I find true international comity to prompt is this. Whenever an insurrection against the established Government of a country takes place, the duty of Governments under obligations to maintain peace and friendship with it, appears to be at first to abstain carefully from any step that may have the smallest influence in affecting the result. Whenever facts occur, of which it is necessary to take notice, either because they involve a necessity of protecting personal interests at home, or avoiding an implication in the struggle, then it appears to be just and right to provide for the emergency by specific measures, precisely to the extent that may be required, but no farther. It is, then, facts alone, and not appearances or presumptions, that justify action. But even these are not to be dealt with farther than the occasion demands: a rigid neutrality in whatever may be done is of course understood. If after the lapse of a reasonable period there be little prospect of a termination of the struggle, especially if this be carried on upon the ocean, a recognition of the parties as belligerents appears to be justifiable; and at that time, so far as I can ascertain, such a step has never, in fact, been objected to. Lastly, when the evidence sustains a belief that the established Government has utterly lost the power of control over the resistance made, without probability of recovery, it is competent for any friendly Government to recognize the insurgent force as an independent Power without giving it just cause of offence.

Such appears to me to have been the course rigidly adhered to by the Government which I have the honour to represent in the long struggle that took place between Spain and her Colonies in South America. On which side of it the sympathies of the people were, cannot admit of a doubt. Yet the respective dates which your Lordship has been kind enough to search out and record in your note sufficiently establish the fact, how carefully all precipitation was avoided in judging of the issue in regard to the mother country. I may, perhaps, be permitted to observe that the action of Her Majesty's Government in the same cases furnishes even stronger precedents to confirm the soundness of my views. Its recognition of belligerency in these instances cannot be considered as suitably described by either term, "unprecedented" or "precipitate."

I have dwelt at some length upon this original point of difference between the two countries, because it has ever seemed to me the fruitful parent of all the subsequent difficulties, the nurse of a very large share of ill-feeling which I cannot deny now to prevail amongst my countrymen. How much stress has been laid upon it by my Government, and how ably Mr. Seward, to whom your Lordship has kindly paid so grateful a compliment, has heretofore applied what you justly term "his remarkable powers of mind" to it, I am sure I need not remind you. In my note of the 20th of May I endeavoured to arrange, in a logical sequence of distinct propositions, the effects which followed this as the first step, and which have led to the reclamations I have been constrained by my instructions to present. I do not propose at this time to dwell upon them further. I will only pray you to excuse the earnestness with which I venture to give expression to my views, under the plea of my belief that upon a correct decision in this controversy may depend the security which the commerce of belligerents will hereafter enjoy on the high seas against the hazard of being swept from them through the acts of nations professing to be neutral, and bound to be friendly.

For if it be once fairly established as a principle of the international code, that a neutral Power is the sole judge of the degree to which it has done its duty under a code of its own making, for the prevention of gross and flagrant outrages, initiated in its own ports by the agents of one belligerent in co-operation with numbers of its own subjects, and perpetrated upon the commerce of the other on the high seas; if it be conceded that the neutral, upon reclamation made for the injuries thus done by reason of the manifest inefficacy of its means of repression, which it has at all times the power to improve at will, can deliberately decline to respond to any such appeal, fall back upon the little that it has attempted as an excuse, and thenceforward claim, with justice, to be released from the inevitable consequences that must ensue from its inaction, then it must surely follow that the only competition between neutral Powers hereafter will be, not

which shall do the most, but which shall do the least to fulfil its obligations of interdiction of the industry and enterprise of its people in promoting the conflicts that take place between belligerents on the ocean. If this be once recognized as good law through the authority which the powerful influence of Her Majesty's Government can attach to it, I dare not venture to foresee how much reluctance there may be on the part of the people whom I have the honour to represent to accept and act upon it. Hitherto a want of eagerness on the part of the most adventurous and least scrupulous portion of them to promote enterprise on behalf of any belligerent that promised personal advantage cannot be charged upon them. The references made by your Lordship to the cases of Spain and Portugal must have convinced you of this truth. The prospect of impunity in such enterprises is all that is needed. Further than this, I might only venture to suggest to your Lordship to consider which of the nations of the world presents on every sea around the globe the most tempting prizes, in an event no friend would more deplore than myself, of its being again, as it has so often been heretofore, doomed to be afflicted by the calamities of a war.

It does so happen, however, that no doctrine of this kind has yet been accepted as legitimate by the Government which I represent. On the contrary, it has ever assumed the painful and difficult task of responding to the just appeals of foreign friendly nations for protection against such enterprises. Whenever representations have been made by their agents, measures have been promptly taken to enforce the laws; and when the issue proved the inefficiency of the existing statutes, the duty of further legislation has been promptly recognized. This appears to me to constitute the full obligation of a neutral. Singularly enough, this course was taken in at least three instances, on the representations made by authority of Her Majesiy's Government. I allude to the first law passed in 1794, in consequence of the complaints and at the special instance of Mr. Hammond, and to another in 1797. Your Lordship appears to me but partially to state what was done, when you dwell only on the compensation actually made for the cases in which there had been a failure to act. These laws were enacted to provide a better preventive process in all future cases, mainly for the protection of British commerce. The third example was the law of 1838, which was the remedy applied to excesses committed on the boundary of the British provinces in Canada by persons in the United States, whom the existing statutes were found not effective to restrain or punish.

Thus it was, too, in the case of Portugal, to which your Lordship is pleased once more to call my attention. And here I must ask permission to re-state my view of the matter, which seems to have failed to be fully considered by your Lordship. I certainly understood you to introduce the case into the correspondence as going to show this: that the Government of the United States had set a precedent of disavowing further responsibility in cases of reclamations for injuries committed on the high seas by outfits made, in despite of them, in their ports, against the commerce of Portugal, which the existing law had proved on trial ineffective to prevent or punish. This is the precise position which I understand Her Majesty's Government to assume. Hence the value of the example as a personal argument in the present instance.

In opposition to this view, it has been my purpose, by appealing to the facts in the case, to show that the Government had at once recognized the validity of the remonstrances of Portugal, by first resorting to the laws already provided to meet the case by appeal to the Courts, and next by promptly responding to the later demand of the same nation for more effectual modes of restraint than those which experience had shown to be ineffectual. To meet this demand a new law more particularly addressed to the object of prevention had been enacted, the efficacy of which proved so considerable as actually to elicit from the remonstrating party repeated expressions of his satisfaction with it. It does not appear that any further security was ever asked than this. The Government had done everything that could be reasonably required. It was therefore discharged from responsibility.

There were, indeed, subsequent cases of wrongful outfits and captures, of which your Lordship has taken note. But in reply to the remonstrances that followed, the answer was prompt that they no longer raised questions that called for the interposition of the Executive Department. Its whole duty had been performed. The true remedy was now open by an appeal to the Courts. The language of Mr. Adams in his reply to M. Correa de Serra, a portion of which only I perceive has been introduced in your Lordship's note, goes directly to this point. I pray permission to supply it in the following extract:—

"The Government of the United States has neither countenanced nor permitted any violation of that neutrality by their citizens. They have, by various and successive acts of legislation, manifested their constant earnestness to fulfil their duties towards all the parties to that war; they have repressed every intended violation of them which has been

brought before their Courts, and substantiated by testimony conformable to principles recognized by all tribunals of similar jurisdiction."

Your Lordship in reading this passage could hardly have failed to feel the force of the successive affirmations of fact which form the grounds of the plea that all the obligations imposed upon a neutral Power in such cases had been fulfilled.

The fact in the case was that M. Correa de Serra in his representations had begun to change his grounds of complaint, and direct his charges against the administration of justice in the Courts. This was a position obviously untenable. Much and sorely as I have felt at times the little chance that the United States has stood of receiving impartial justice in Her Majesty's Courts, I have never received from my Government any instructions which did not fully recognize the impropriety of raising a question in regard to their decisions. This makes no part whatever of the grounds upon which I am instructed to make reclamations. The question has never been as to what the judicial tribunals have done or failed to do. It turns exclusively upon the duties of a neutral Government to perform its obligations to a friendly Power by a prompt and energetic policy of repression of flagrant wrongs through existing means, and, in the event of a failure of those means, by the adoption of others which it was entirely within its power to supply, if so disposed. The responsibility entailed upon Her Majesty's Government in the present instance has always seemed to me to grow out of the feebleness of its measures of prevention at the outset, and its deliberate refusal to obtain an enlargement of its powers after existing remedies had proved unavailing.

With respect to that portion of your Lordship's note which appears to defend the existing legislation as having really proved adequate, I beg leave only to remark that it is sufficiently answered by the fact that you proceed to specify in proof of it mainly those cases in which Her Majesty's Government is admitted to have taken a responsibility of action beyond the law. Whilst I have been always ready to bear testimony to the eminent utility of the action for which your Lordship appears to have assumed a grave responsibility, I am at a loss to perceive how this diminishes the force of the reasoning which would seek from the legitimate protection of the law of the land that performance of obligations which appears now to depend only on the courage of the Minister to transcend its limits.

And here I must pray permission to dwell a moment upon one passage of your Lordship's note which has excited a strong sense of surprise, not to say astonishment. In order that I may by no possibility be guilty of any misconstruction of the meaning of the language, I take the liberty, with your permission, to transfer the very words. They are these :—

" You say, indeed, that the Government of the United States altered the law at the urgent request of the Portuguese Minister.

" But you forget that the law thus altered was the Law of 1794, and that the Law of 1818 then adopted was, in fact, so far as it was considered applicable to the circumstances and institutions of this country, the model of our Foreign Enlistment Act of 1819.

" Surely, then, it is not enough to say that your Government, at the request of Portugal, induced Congress to provide a new and more stringent law for the purpose of preventing depredations, if Great Britain has already such a law. Had the Law of the United States of 1818 not been already in its main provisions adopted by our Legislature, you might reasonably have asked us to make a new law ; but surely we are not bound to go on making new laws *ad infinitum* because new occasions arise."

If I do not rightly comprehend the sense of your Lordship, I pray to be corrected when I assume it to be that an argument drawn from the precedent of the course of my Government in enacting a new law to meet the remonstrance of the Portuguese Minister has no force in supporting the representation I make in the present instance, because these very provisions of American legislation have been already long since substantially adopted by Great Britain in the Enlistment Act, the very act which is now complained of as ineffective. In other words, your Lordship appears to take it for granted that Great Britain, having already passed a law as stringent and effective as that of the United States, is therefore justified in declining any proposal to go on amending it.

If this be in verity your position, I must pray your pardon if I hazard the remark, in reply, that you cannot have given to the respective Statutes in question the benefit of that careful collation which the occasion would seem to require. If you had done so you must have noticed that, in point of fact, they are materially unlike. The British Law is, as your Lordship states, a re-enactment of that of the United States, but it does not adopt all of " its main provisions," as you seem to suppose. Singularly enough, it entirely omits those very same sections which were originally enacted in 1817 as a temporary law on the complaint of the Portuguese Minister, and were made permanent in that of 1818. It is in

these very sections that our experience has shown us to reside the best preventive force in the whole law. I do not doubt, as I had the honour to remark in my former note, that if they had been also incorporated into the British Statute, a large portion of the undertakings of which my Government so justly complains would either have never been commenced, or, if commenced, would never have been executed. Surely it was not from any fault of the United States that these effective provisions of their own law failed to find a place in the corresponding legislation of Great Britain. But the occasion having arisen when the absence of some similar security was felt by my Government to be productive of the most injurious effects, I cannot but think that it was not so unreasonable as your Lordship appears to assume, that it should hope to see a willingness in that of Great Britain to make the reciprocal legislation still more complete. In that hope it was destined to be utterly disappointed. Her Majesty's Government decided not to act. Of that decision it is no part of my duty to complain. The responsibility for the injuries done to citizens of the United States by the subjects of a friendly nation, by reason of this refusal to respond, surely cannot be made to rest with them. It appears, therefore, necessarily to attach to the party making the refusal.

But if the example thus set by Her Majesty's Government should come to be generally adopted, and the principles of neutrality upon which it rests be recognized as a part of the Code of International Law, then it is not difficult to foresee the probable consequence. A new era in the relations of neutrals to belligerents on the high seas will open. Neutral ports in that event will, before long, become the true centres from which the most effective and dangerons enterprizes against the commerce of belligerents may be contrived, fitted out, and executed. The existing restrictions upon the exploits of daring adventurers will rapidly become obselete, and no new ones will be adopted. Ships, men, and money will always be at hand for the service of any Power sufficiently strong to hold forth a probability of repayment in any form, or adroit enough to secure a share of the popular sympathy in its undertakings. New "Floridas," "Alabamas," "Shenandoahs," will appear on every sea. If such be the recognized law, I will not undertake to affirm that the country which I have the honour to represent would not in the end be as able to accommodate itself to the new circumstances as Great Britain. Whilst I cannot but think that every moderate statesman would deprecate such a change, which could hardly fail to increase the hazard of lamentable complications among the great maritime Powers, I cannot see an escape from it, if a nation itself possessing a marine so numerous and extensively dispersed decides to lead the way.

Entertaining these views, it appears scarcely necessary for me to follow your Lordship further in the examination of details of former precedents either in English or American history. I am happily relieved from any such necessity by learning the conclusions to which Her Majesty's Government have arrived. Understanding it to decline the proposal of arbitration, which I had the honour, under instructions, to present, in any form, for reasons assigned by your Lordship, I nevertheless am happy to be informed that "Her Majesty's Government are ready to consent to the appointment of a Commission, to which shall be referred all claims arising during the late civil war which the two Powers shall agree to refer to the Commissioners."

I have taken measures to make known, at the earliest moment, this proposal to my Government, and shall ask permission to await the return of instructions before giving a reply.

Disclaiming all authority to express in advance any opinion on the part of my Government, I pray, at the same time, your Lordship's attention to a single circumstance which, without a previous agreement upon the great principles of international law involved in this controversy, may raise a difficulty in the way of accepting the proposal. At a first glance it would appear as if it were, in substance, identically the same with that long ago made by the Portuguese Government to that of the United States. The essence of the answer returned in that case happens to have lately passed under your eye, since it is found incorporated in your Lordship's note. I trust I cannot be suspected of a desire to imply that, in taking this step, Her Majesty's Government could have sought to appear either as proposing, on the one hand, a measure which it foresaw must be declined, or, on the other, one which, if accepted, could be so accepted only at the risk of a charge of disavowing the views of constitutional or international law entertained by my Government in former times. It may indeed be that, in this view, I may, after explanation, find that I have misconceived the nature of your Lordship's proposal on the view which my Government will take of it, in which case I pray you to excuse the suggestion, and consider it as made without authority, and solely in the hope of eliciting such explanotion.

I take great satisfaction in concluding this note by cordially responding to your

Lordship's request "to join with Her Majesty's Government in rejoicing that the war has ended without any rupture between two nations, which ought to be connected by the closest bonds of amity."

I likewise receive with great pleasure your Lordship's assurances that the efforts by which the Government and Congress of my country have shaken off slavery "have the warmest sympathies of the people of these kingdoms."

If from painful observation in a service extended through four years, I cannot in candour yield my entire assent to this statement, as applied to a large and too influential portion of Her Majesty's subjects; if it has been my misfortune to observe in the process of so wonderful a revolution, a degree of coldness and apathy prevailing in many quarters, from which my countrymen had every right to expect warm and earnest sympathy; if throughout this great trial, the severity of which, few not well versed in the nature of our institutions could fully comprehend, the voice of encouragement from this side of the water has too often emitted a doubtful sound, I yet indulge the hope that the result arrived at will ultimately correct the hasty and harsh judgments that flowed from lack of faith and of confidence in our fidelity to a righteous cause. Of the friendly disposition in this regard of the members of Her Majesty's Government, and especially of your Lordship, I have never permitted myself to doubt. And yet in the midst of the gravest of our difficulties, I cannot forget that even your Lordship was pleased, in an official published despatch, to visit with the severity of your but too weighty censure, the greatest political measure of the late lamented President, that which, in fact, opened the only practicable way to the final attainment of the glorious end. Under such circumstances, I pray you not to be surprised if I am compelled not to disguise the belief that with my Government, as among my countrymen at large, there is still left a strong sense of injured feeling, which only time and the hopes of a better understanding in future, held out by the conciliatory strain in your Lordship's note, are likely to correct. Recognizing most fully the justice and propriety of the joint policy marked out in your concluding sentence, I have, &c.

(Signed) CHARLES FRANCIS ADAMS.

No. 6.

Earl Russell to Mr. Adams.

Sir, *Foreign Office, October* 14, 1865.

I HAVE thought it best to wait for the answer to the reference you have made to your Government before replying to your last letter.

But I observe that you have not clearly understood my proposal for the appointment of a Commission.

That proposal is made in the following terms:—

"Her Majesty's Government are ready to consent to the appointment of a Commission to which shall be referred all claims arising during the late civil war which the two Powers shall agree to refer to the Commissioners."

There are, I conceive, many claims upon which the two Powers would agree that they were fair subjects of investigation before Commissioners.

But I think you must perceive that if the United States' Government were to propose to refer claims arising out of the captures made by the "Alabama" and "Shenandoah" to the Commissioners, the answer of Her Majesty's Government must be, in consistency with the whole argument I have maintained, in conformity with the views entertained by your Government in former times.

I should be obliged, in answer to such a proposal, to say—"For any acts of Her Majesty's subjects committed out of their jurisdiction, and beyond their control, the Government of Her Majesty are not responsible."

I should say further, that the appointment of a Commission for such purpose would not be consistent with any practice usual among civilized nations, and that it is a principle well known and well understood that no nation is responsible for the acts of its citizens committed without its jurisdiction, and out of the reach of its control.

I should have cleared up this point before, but I thought that the words "which the two Powers shall agree to refer to the Commissioners" would put an end to any doubt upon the subject.

I am, &c.

(Signed) RUSSELL.

No. 7.

Mr. Adams to Earl Russell.—(Received October 18.)

My Lord, *Legation of the United States, London, October 17, 1865.*

I HAVE the honour to acknowledge the reception of your note of the 14th instant, explanatory of some portions of a preceding one dated the 30th of August last.

This has reached me just in season to enable me to dispense with the necessity of soliciting precisely that information. For although the Government which I have the honour to represent had already understood your Lordship's note as substantially in the same sense, it has instructed me to ask the confirmation of it which has now been supplied.

I am now directed to inform your Lordship that the contents of your note of the 30th of August have received the most careful consideration.

With regard to the reference which you were pleased to make to a friendly remark contained in the note which I had the honour to address to your Lordship on the 23rd of October, 1863, apparently considering it in the light of a formal proposal for arbitration, I am now desired, in view of the reasons given by your Lordship why such a mode of adjustment would not be acceptable to Her Majesty's Government, to state that, whatever may have heretofore been, or might now be thought by the President of umpirage between the two Powers, no proposition of that kind for the settlement of existing differences will henceforward be insisted upon, or submitted on the part of my Government.

The proposal of some form of Commission made by your Lordship still remains under consideration. To the end that my Government may be the better enabled to make a satisfactory reply to it, I am still under the necessity of soliciting more information in regard to the precise nature of the claims which Her Majesty's Government is disposed to agree to consider. I am instructed to venture so far as to ask the favour of your Lordship to distinguish as well what among the classes of claims it is willing, and what it would not be willing, to refer to the proposed Commission.

I pray, &c.

(Signed) CHARLES FRANCIS ADAMS.

No. 8.

Earl Russell to Mr. Adams.

Sir, *Foreign Office, October 19, 1865.*

I HAVE the honour to acknowledge the receipt of your letter of the 17th instant, requesting to be informed of the precise nature of the claims which Her Majesty's Government would be willing to refer to a Commission; and I have to state to you in reply, that the information you request may take some time in preparation; but Her Majesty's Government will furnish it as soon as they can, consistently with the importance of the question.

I am, &c.

(Signed) RUSSELL.

No. 9.

Mr. Adams to Earl Russell.—(Received October 23.)

My Lord, *Legation of the United States, London, October 21, 1865.*

UNDER instructions from my Government, I have the honour to submit to your consideration copies of certain papers marked A, relative to the destruction of the whaling barque "William C. Nye," by the vessel known under the name of the "Shenandoah."

I am further directed to state that in view of the origin, equipment, and manning of that vessel, my Government claims to look to that of Great Britain for indemnification for this and other losses that have been occasioned by her depredations.

In order that the facts attending this particular case may be more fully laid before you, I pray your Lordship's attention to the series of papers marked B, herewith transmitted, which relate to a very material portion of this vessel's career.

In the statement of this case I shall endeavour to confine myself to a recapitulation of

the principal facts. To this end it will be necessary for me to recall your attention to certain portions of the correspondence which I have heretofore had the honour to hold with your Lordship.

In the letter which I was directed to address to your Lordship on the 6th of September, 1864, when I was under the painful necessity of remonstrating against the conduct of the Commander of the yacht "Deerhound" in rescuing from the hands of the victor in the strife many of the crew of the "Alabama," I received orders to submit to your consideration four propositions, two of which were in the following words:—

"3. That the continuance of these persons to receive from any British authorities or subjects pecuniary assistance or supplies, or the regular payment of wages, for the purpose of more effectually carrying on hostile operations from this kingdom as a base, is a grievance against which it is my duty to remonstrate, and for which to ask a remedy in their conviction and punishment.

"4. The occasion has been thought to warrant a direction to me to ask with earnestness of Her Majesty's Government that it should adopt such measures as may be effective to prevent the preparation, equipment, and outfit of any further naval expedition from British shores to make war against the United States."

To these propositions your Lordship was pleased to reply on the 26th of September, by stating that the rescue of those people from the sea, and from their captors, was regarded by you as a praiseworthy act of humanity; and that after their escape into this kingdom as a refuge, any attempt to restore them could be viewed by you only as a violation of hospitality. No action whatever, so far as I have had an opportunity of knowing, has followed upon either of these requests.

On the 10th of November following, I took the liberty of calling your Lordship's attention to the fact that these refugees, who had been enjoying the hospitality of a neutral kingdom, were in reality persons most of them British subjects, originally enlisted within this kingdom for an unlawful purpose, actually still engaged in the same business, and held together with a view of making a part of another enterprise of the same sort with that of the "Alabama," conceived and executed in all its parts by agents of the rebels residing all the time under the protection of Her Majesty's neutral territory at Liverpool.

The result, as displayed in the papers now submitted, shows conclusively that the "refuge" spoken of by your Lordship has been turned into a den of robbers; and that the humanity so freely commended has in its consequences been productive of wide-spread suffering to many industrious and innocent men.

On the 18th of November, 1864, I had the honour to transmit to your Lordship certain evidence which went to show that on the 8th of October preceding, a steamer had been despatched under the British flag from London, called the "Sea King," with a view to meet another steamer called the "Laurel," likewise bearing that flag, despatched from Liverpool on the 9th of the same month, at some point near the Island of Madeira. These vessels were at the time of sailing equipped and manned by British subjects; yet they were sent out with arms, munitions of war, supplies, officers, and enlisted men, for the purpose of initiating a hostile enterprize to the people of the United States, with whom Great was at the time under solemn obligations to preserve the peace.

It further appears that on or about the 18th of the same month these vessels met at the place agreed upon; and there the British commander of the "Sea King" made a formal transfer of the vessel to a person of whom he then declared to the crew his knowledge that he was about to embark on an expedition of the kind described. Thus knowing its nature he, nevertheless, went on to urge these seamen, being British subjects, themselves to enlist as members of it.

It is also clear that a transfer then took place from the British steamer "Laurel" to the "Sea King" of the arms of every kind with which she was laden for this same object, and, lastly, of a number of persons, some calling themselves officers, who had been brought from Liverpool expressly to take part in the enterprize. Of these last a considerable portion consisted of the very same persons, many of them British subjects, who had been rescued from the waves by British intervention at the moment when they had surrendered from the sinking "Alabama," the previous history of which is but too well known to your Lordship.

Thus equipped, fitted out, and manned from Great Britain, this successor to the destroyed corsair, now assuming the name of the "Shenandoah," though in no other respect changing its British character, addressed itself at once to the work for which it had been destined. At no time in her later career has she ever reached a port of the country which her commander has pretended to represent. At no instant has she earned any national characteristic other than that with which she started from Great Britain. She has thus far roamed over the ocean receiving her sole protection against the consequences

of the most piratical acts, from the gift of a nominal title which Great Britain first bestowed upon her contrivers, and then recognized as legitimating their successful fraud.

I am not unmindful of the grounds which have been heretofore assigned by your Lordship as releasing Her Majesty's Government from responsibility for the flagrant conduct of this vessel. It is urged that there is no power to prevent vessels bearing the semblance of merchant ships from leaving the ports of this kingdom and meeting each other at some place on the ocean far beyond Her Majesty's jurisdiction, for the execution of a purpose like that now in question. The parties to it violate no law of the land, provided they commit no offence against the neutrality of the kingdom within its territorial limits. Whilst I cannot myself quite appreciate the force of this reasoning, so far as it may be applied to absolve one nation from its international obligations with another, merely on account of the skill of its subjects in evading the local law, I am at the same time not disposed to underrate the difficulties which the best-intentioned Government may, in performing its duty, experience from that cause. Its will may certainly be sometimes baffled by the arts of desperate and profligate adventurers.

Did the merits of this case depend upon the mere fact of the escape of the vessel from a British port by eluding the vigilance of the authorities, it might, perhaps, be considered as not entailing upon Her Majesty's Government so heavy a responsibility. There are other circumstances connected with that event which aggravate its nature. One of the most grave appears to be the fact that, after the escape had occurred and the nefarious project had been consummated, Her Majesty's Government, nevertheless, instead of taking prompt measures to denounce the transaction thus completed in defiance of its authority, and refusing to give it the smallest countenance in any British port, deliberately proceeded to accept the result as legitimate, and to direct that this vessel so constituted should be from that moment entitled to all the privileges which an honest belligerent might claim or any vessel of the United States would enjoy.

The consequences of what I cannot but regard as this most unfortunate construction of international law, by which success in committing the fraud was made the only test to purge it of its offensive nature, have been manifested in the manner in which the "Shenandoah" was received wherever it went in the British dependencies. The supplies there obtained under one pretence and another, particularly in the remote ports of Australia, have enabled this vessel to keep the seas and to continue her depredations long after she has been stripped of the last shadow of the character with which Her Majesty's Government voluntarily chose to invest her at the outset. It is impossible to read the papers which have been forwarded to my Government from the Consul at Melbourne, copies of which are submitted with this note, without feeling that in no instance on record have similar concessions been made to a vessel of such a fraudulent origin, or such offensive partiality been manifested towards it by a portion of a nation professing to style itself neutral. In consenting to receive this vessel, after the facts of its illegal origin and outfit had been satisfactorily established, I cannot resist the conviction that Her Majesty's Government assumed a responsibility for all the damage which it has done, and which, down to the latest accounts, it was still doing, to the peaceful commerce of the United States on the ocean.

I pray permission to call your Lordship's attention to still another of the circumstances which appear to me among the most grave belonging to this case. This enterprise seems to have been the last of the series conceived, planned, and executed exclusively within the limits of this kingdom. It emanated from persons established here since the beginning of the war as agents of the rebel authorities, who have been more effectively employed in the direction and superintendence of hostile operations than if they had been situated in Richmond itself. In other words, so far as the naval branch of warfare is concerned, the real bureau was fixed at Liverpool and not in the United States. The vessels were constructed or purchased, the seamen enlisted, the armament obtained, the supplies of every kind procured, the cruizes projected, and the officers and men regularly paid, here. In other words, all the war made on the ocean has been made from England as the starting point. I have had the honour to furnish, from time to time, to your Lordship evidence of the most conclusive character touching most of these points, and I have even designated the chief individuals to whom the supreme direction of the operations had been entrusted. I fail to be able to recall in history a case of more flagrant and systematic abuse of the neutrality of a country by a belligerent, kept up for an equal length of time. But what I cannot but think still more remarkable is, that notwithstanding the fact of the frequent representations and remonstrances made by myself under the instructions of my Government, so far as I have been permitted to learn, not a single effort was ever made by Her Majesty's Government either to prevent or to punish the persons known to be engaged in this most extraordinary violation of the law of the land.

Prosecutions have been instituted, indeed, against a few persons who were alleged to have been acting in contravention of the provisions of the Enlistment Act. Mr. Rumble, after escaping from justice by the leniency of a jury, received a decided censure from the Government; Captain Corbett, the officer commanding the "Sea King," though prosecuted, appears never to have been brought to trial. But these, and a few minor cases, were exclusively those of British subjects, who appear to have been acting merely as instruments of a power above their heads. Not a single individual directly connected with the rebellion, and sent here to conduct the operations, has ever been molested in any manner. It cannot, therefore, be at all a matter of surprise when the mainspring of the various naval enterprises, the director of the "Alabamas," "Floridas," "Georgias," and "Shenandoahs," was left wholly undisturbed, that it has been impossible to put a stop to the damage which has ensued to the people of the United States from the ravage and depredation committed upon them by the operations carried on from this kingdom. At the very time when the fortunate encounter of the "Alabama" by the United States' steamer "Kearsarge" terminated in the destruction of one of these corsairs, the offspring of the violated law of this land, and when the people of the United States were congratulating themselves that one great cause of irritation between the two countries was at last laid to rest, it now appears that the directing power to which I have alluded at once turned its attention to a husbanding of the seamen saved by a trick from the hands of the victor, with a view to the immediate production of a successor to the same work. The evidence which I now have the honour to submit shows that many of the crew saved from the "Alabama" have been from the beginning, and still continue to be, a part of the crew of the "Shenandoah." Neither does it appear from anything within my knowledge that the smallest attention was ever paid by Her Majesty's Government to the representations which I had the honour to submit at the time touching the probability of precisely such an operation.

That the principal person engaged in the direction of this bureau was an officer by the name of J. D. Bullock, expressly despatched from Richmond for the purpose of organizing it, is a fact to which I had the honour to call your Lordship's attention in many different forms during the progress of the struggle. Yet, in spite of all this evidence, Mr. Bullock appears to have been permitted to conduct his operations, and especially to shape the outfit and the entire cruize of the "Shenandoah," without the smallest interferenee from any official quarter.

It may, however, be objected that whatever may have been the nature of my remonstrances, no sufficient evidence was presented of the official character and proceedings of Mr. Bullock to sustain the initiation of any prosecution against him in the Courts. To which I am pained to be constrained to reply that my Government has reason to believe that Her Majesty's Government has in one instance considered that evidence suffieient to sustain it in recognizing the authority of Mr. Bullock over the commander of the "Shenandoah" so far as to stop its career, and in consenting to furnish the medium by which to transmit his orders to that vessel. The power to prevent certainly implies the previous existence of a power to control. I beg permission to express the hope that inasmuch as the papers in which this fact appears have not come into the hands of my Government by direct communication from your Lordship, I may presume them not to be genuine.

Should the fact be otherwise, however, whilst readily conceding that the motive for such a proceeding may have been substantially of the most friendly nature, in accelerating the termination of the ravage committed by that vessel, I do not at the same time feel at liberty longer to disguise from your Lordship the sense of extreme surprise which the knowledge of it has caused, not less on account of the singular recognition thus incidentally made of the authority of one long since pointed out as the principal offender against the neutrality of this Kingdom, and enjoying a degree of impunity difficult to be understood, than of the fact that Her Majesty's Government appears to have determined thus to act without deigning any friendly signification of its purpose to the party most directly interested in the decision.

Since the preceding was written, I have had the honour to receive unofficially from your Lordship the gratifying intelligence that Her Majesty's Government have decided to send orders to detain the "Shenandoah" if she comes into any of Her Majesty's ports, and to capture her if she be found on the high seas. I have taken great pleasure in transmitting this to my Government. At the same time, I trust I may be pardoned if I am compelled to remark, that had Her Majesty's Government felt it to be consistent with its views to adopt this course at the time when it adopted that upon which it has been my painful duty to animadvert, it would have most materially contributed to allay the irritation in my own country inseparable from the later outrages committed by that vessel.

Having thus acquitted myself of the unpleasant duty with which I have been charged, I pray, &c.,

(Signed) CHARLES FRANCIS ADAMS.

Inclosure 1 in No. 9.

(A.)

Messrs. Merrill and Co. to Mr. Seward.

Dear Sir, *San Francisco, August* 16, 1865.

THE English propeller "Sea King," *alias* Confederate steamer 'Shenandoah," has made her appearance in the Arctic Ocean and threatens the destruction of the entire whaling fleet. Twenty-five whaling vessels have already been burned by her, and four others captured and bonded for the purpose of bringing the crews of the burnt ships to this port and the Sandwich Islands.

On the 26th of June she burnt our bark the "Wm. C. Nye," of this port, sending her crew to this port in the whaler "General Pike," and we wish to place on file or present for collection our claim against the English Government for the destruction of the said vessel, amounting to 280,212 dollars 50 cents. The size of the "Wm. C. Nye," and the owners of her, are certified to by our Deputy Collector; and we forward with the claim the Captain's "extended protest." Please inform me whether the claim should be presented in any different shape.

Allow me to suggest that the next Congress be recommended to appoint a "Commission" to adjust these claims, while all the testimony that may be required can be obtained, and the various facts in the different cases are fresh.

We remain, &c.

(Signed) J. C. MERRILL AND Co.

The bark "Wm. C. Nye" was of the capacity of $389\frac{35}{95}$ tons, as appears from copy of her register on file in this office, and she was owned as per statement hereunto attached.

In witness whereof I have hereunto set my hand and seal at San Francisco, this 11th day of August, 1865.

(Signed) E. DANIELS, *Deputy Collector.*

San Francisco, August 7, 1865.

English propeller "Sea King," *alias* Confederate States' steamer "Shenandoah," Dr., to J. C. Merrill and Co., Owners and Agents of American barque "Wm. C. Nye."

	Dols.	c.
Barque "Wm. C. Nye," line oak built, coppered and copper fastened, $389\frac{35}{95}$ tons, burned in the Arctic Sea, June 26, 1865	35,000	0
Boats, casks, crafts, provisions, whaling-guns, bombs, and materials	20,000	0
150 barrels whale oil on board, 4,725 gallons, at 1 dollar 50 cents	7,089	50
Season's catch destroyed, estimated 2,500 barrels whale oil, 78,750 gallons, at 1 dollar 50 cents	118,125	0
Whalebone, 50,000 lbs., at 2 dollars	100,000	0
	280,212	50

Owners:

J. C. Merrill and Co.	$\frac{7}{16}$
P. H. Cootey	$\frac{3}{16}$
Moore and Co.	$\frac{2}{16}$
Charles Hare	$\frac{2}{16}$
Tubbs and Co.	$\frac{1}{16}$
Wm. How	$\frac{1}{16}$
	$\frac{16}{16}$

United States of America.

State of California, City and County of San Francisco, ss.

To all people whom these presents shall or may concern.

I, E. V. Joice, a public notary in and for the State and County aforesaid, by Letters Patent under the great seal of the said State duly commissioned and sworn, dwelling in the city of San Francisco, send greeting—

Know ye that on this 7th day of August, in the year of our Lord 1865, before me, the said notary, at my office in the city of San Francisco, personally appeared S. H. Cootey, master of the bark "Wm. C. Nye," belonging to the port of San Francisco (the said master having personally noted in due form of law his intention to protest), who, together with Fitch Way, 2nd officer; John Sheridan, steward; and John Scanlan, carpenter, belonging to the aforesaid vessel, being by me duly sworn on the Holy Evangelists of Almighty God, voluntarily and solemnly did declare and depose as follows, to wit:—

That they the said appearers, on the 27th day of March, 1865, set sail and departed in and with the said vessel from the port of San Pedro on a whaling cruise and bound for the Arctic Ocean; the vessel being then stout, staunch, and strong; her cargo well and sufficiently stowed and secured, well masted, manned, tackled, victualled, apparelled, and appointed, and in every respect fit for sea and the voyage she was about to undertake. That on the 27th day of March we left San Pedro bound for the Arctic Ocean on a whaling cruise, having on board about 150 barrels of oil, the catch of between seasons. Meeting with no incident worthy of note, on the 25th of May we made Cape Thaddeus, and were cruising for whale, when on the morning of the 26th of June at 2 o'clock, the officer of the deck came down and reported what he thought to be a steamer close to us. Before the master could get on deck the steamer had hailed our bark to haul aback, which was done. The steamer lowered a boat and came alongside; an officer came on deck and said to Captain Cootey, you must consider yourself a prize to the Confederate man-of-war "Shenandoah." She had no flag flying, and this was the first intimation we had of her character. The officer then inquired how many officers we had on board, and was informed four, when he ordered the captain and officers, with her papers, to get into his boat and go aboard the steamer. At this time the war steamer was within 150 yards of the bark, and her guns were all visible, and the magnitude of her strength and ability to carry out his orders was apparent. We got aboard the boat and were taken on board the "Shenandoah," when an officer ordered the captain to go into the cabin where he was met by Captain Waddell, in command of the "Shenandoah," who inquired of the captain for his papers, which were handed over and then given to the clerk. A bond or parole was then made out for the captain and officers to sign, but the precise character of the document is not known. However, upon this being done, and all the papers belonging to the ship, including her register, taken possession of by the clerk of the steamer, we were then informed by the commander of the steamer that he was done with us, when we were taken down into the between decks and there searched by a person called master at arms, who treated us with every indignity he could invent; our pockets turned inside out, clothing rudely examined, and then ordered to sit down on the floor with some Chinamen. After remaining in this place about thirty minutes, we were ordered on deck and go aboard our bark to get a portion of our clothing. And while we were packing, the partitions were being knocked down preparatory to burning the vessel. In about fifteen minutes after going aboard, we were ordered to leave, when the bark was set on fire, and we were then put on our own whale boats in tow of the steamer, when she started for two or three other whalers in sight to the north-east. After capturing and burning these vessels, as well as our own, we were by order of the captain of the "Shenandoah," put on board the bark "General Pike," together with those belonging to captured whalers, which vessel was bonded to take us to San Francisco, where we arrived August 1, 1865. There were seven ships' companies put on board the "Pike," of about 300 tons, all of whom suffered in consequence of the crowded condition of the ship and the want of accommodation for the voyage to San Francisco.

The bark "Wm. C. Nye" was well found and equipped in every respect for the voyage she had undertaken.

And the said appearers further declare that as all the damage and injury which already has or may hereafter appear to have happened or accrued to the said vessel, her freight and cargo, has been occasioned solely by the circumstances hereinbefore stated, and cannot be attributed to any insufficiency of said vessel, the neglect or default of him, this deponent, his officers or crew, he now requires me, the said Notary, to make his protest and this public act thereof, that the same may serve and be of full force and

value as of right shall appertain. And thereupon the said master protested, and I, the said Notary, at his special instance and request, did as by these presents I do publicly and solemnly protest against the winds, weather, and seas, and against all and every accident, matter and thing, had and met with as aforesaid, whereby or by means whereof the said vessel, her freight or her cargo, already has or hereafter shall have suffered or sustained loss, damage or injury, and for all losses, costs, charges, expenses, damages, and injury which the said vessel, or the owner or owners of the said vessel, or the owners, freighters or shippers of her said cargo, or any other person or persons interested or concerned in either, already have been or may hereafter be called upon to pay, sustain, incur, or be put into by or on account of the premises, or for which the insurer or insurers of the said vessel, her freight or her cargo, is or are respectively liable to pay or make contributions or average according to custom, or their respective contracts or obligations, so that no part of any losses, damages, injuries, or expenses already incurred or hereafter to be incurred, do fall on him the said master, his officers, or crew.

Thus done and protested in San Francisco, this 7th day of August, in the year of our Lord 1865.

In testimony whereof, as well the said appearers as I, the Notary, have subscribed these presents, and I also caused my seal of office to be hereunto affixed the day and year above written.

(Signed) E. V. JOICE, *Notary Public.*

(Signed) S. H. COOTEY, *Master.*
FITCH WAY, *Second Officer.*
JOHN SHERIDAN, *Steward.*
JOHN SCANLAN, *Carpenter.*

State of California, City and County of San Francisco, ss.

I, the Undersigned Notary Public, hereby certify the foregoing act of protest to be an accurate and faithful copy of the original on record in my book of official acts.

In testimonium veritas.

(Signed) E. V. JOICE, *Notary Public.*

Inclosure 2 in No. 9.

(B.)

Mr. Blanchard to Mr. Seward.

Consulate of the United States of America,
Melbourne, February 23, 1865.

Sir,

IT is my painful duty to inform you that an armed steam-ship, flying the flag of the so-styled Confederate States, now called "Shenandoah," but in reality the British vessel "Sea King," entered this port on the 25th January, 1865, at about 8 o'clock P.M. and that said vessel was allowed to repair, to go upon a dry dock, to coal; and that she was allowed to depart at about 7 o'clock A.M. on the 18th February, 1865, notwithstanding my continued protest.

* * * * * *

On the 25th January, the telegraph announced that a steam-ship supposed to be the "Royal Standard" from Liverpool fifty-two days out was in sight; late in the evening rumours were in circulation to the effect that the vessel seen was the Confederate war-ship called "Shenandoah."

On the morning of the 26th I learned from the papers that the Confederate ship "Shenandoah" had anchored in the port about dark the day before.

On coming to the Consulate on the morning of the 26th January, 1865, I found there the following named persons, all of the late American barque "Delphine" burnt at sea, on the 26th of December, 1864, and all claiming to be prisoners of war to the Confederate steam-ship "Shenandoah," and on parole not to communicate anything to the detriment of the Confederate cause or that would lead to the capture of said ship, viz., William Green Nichols, master, E. T. Jones, first mate, E. P. Nichols, second mate, E. T. Lingo, Steward, William Scott, carpenter, Charles Hemming, Frederick Lendbug, and William Edstrom, seamen.

Being anxious to get a description of the vessel and her armament, to send off in the mail just then closing, I used every endeavour to procure it from the above persons, and at

near 1 o'clock succeeded in getting enough information to enable me to send such description of said vessel to Mr. Adams, and also to our Consul at Hong Kong, with a view of having a cruizer put on her track as soon as possible, which despatches I sent on board the mail-steamer then in the bay, the mail having closed at Melbourne, a copy of which is herewith inclosed (No. 3).

While I was taking Captain Nichols' testimony which is inclosed (No. 4), I received a despatch from the Commission of Trade and Customs at 3·30 P.M., informing me that an application had been made to land certain prisoners from the Confederate steamer "Shenandoah," and wanting to know, for the information of the Governor, whether I, as Consul for the United States, would take care of and provide for them if landed. A copy of the despatch is herewith inclosed (No. 5).

The November mail from Europe, which arrived here about the middle of January, brought the news that the "Sea King" and the "Shenandoah" were one and the same ship, and that she had not entered any port since leaving England, I took the position towards the authorities here, that she was not entitled to the rights of a belligerent as contemplated in Her Majesty's Neutrality Proclamation, and that she could not change her nationality at sea.

I therefore in answer to the despatch of the Commissioner of Trade and Customs sent an answer direct to Sir Charles Darling, the Governor, then at the Government-house, Toorak, about five miles off, a copy of which (No. 6) is herewith inclosed, and which was delivered and receipted for at 6·45 P.M. same day.

On the 27th January I continued the examination of the men from the "Delphine," several of whom told me that all the captured men who had been induced to join said vessel had done so either after imprisonment and punishment or to avoid it through threats, and that they believe they would all leave if I would protect them from arrest. I informed the men that I would protect all persons that had shipped under such circumstances from captured American vessels, and directed such men, if any such were seen ashore by them to inform them of my determination, and direct to me or come with them. I did this with the view of liberating the men, of reducing her crew, which was mostly made up of such impressed men, and of obtaining information that the men I then had would not give an account of their parole.

I also sent to the Governor an argumentative despatch, again protesting against said "Sea King"-"Shenandoah," and maintaining that said vessel was in violation of Her Majesty's Proclamation, a copy of which is herewith inclosed (No. 7).

On the 28th I received a despatch from C. J. Tyler for Private Secretary, informing me that my despatches of 26th and 27th January had been referred by the Governor to his legal advisers, and that his Excellency the Governor would acquaint me with his decision, after he had received the advice of the Attorney-General, a copy of which is herewith inclosed (No. 8).

After receiving the above, I forwarded to the Governor a despatch of same date, stating that evidence was daily accumulating in my office in support of the several protests I had sent him, and calling his attention to special reasons why said vessel should not receive the treatment of a belligerent, and protesting against the aid, and comfort, and refuge now being extended to said vessel, a copy of which is herewith inclosed (No. 9).

Being under the impression that the Governor of New South Wales was still Governor-General of all the Australian Colonies, I sent to Mr. Leavenworth, our Consul at Sydney, a despatch, a copy of which (No. 10) is herewith inclosed, inclosing therein copies of the correspondence with the authorities here, and urging him, if my impressions in regard to the Governor-Generalship were correct, to lodge protests in support of mine with the Governor-General there. I find I was mistaken; the Governors are independent of each other.

On the 30th January I received a despatch, dated Private Secretary's Office, 30th January, informing me that his Excellency the Governor-General had received my communication of 26th, 27th, and 28th January, and advised with the Crown Law Officers thereon, and that his Excellency the Governor has come to the decision that, whatever may be the previous history of the "Shenandoah," "the Government of this Colony is bound to treat her as a ship of war, belonging to a belligerent Power," a copy of which is herewith inclosed (No. 11).

I immediately entered a protest, in the name of the United States, against the decision of the Government of Victoria, a copy of which is herewith inclosed (No. 12).

After receiving this decision of the Governor, thus closing all arguments and hopes as to the vessel being stopped in her career by the Governor, I consulted with several

American merchants here, and decided to indict her in the Admiralty Court. With this view I employed Messrs. Duffett, Grant, and Wolcott, Solicitors, who became acquainted with sundry affidavits and witnesses at my command.

On the 1st February a debate arose in the Colonial Legislature respecting the "Sea King"-"Shenandoah," in which the Chief Secretary seemed to think there was no proof of said vessel being the "Sea King."

My solicitors considered there was abundant evidence, and that it should be laid before the Crown Law Officers, which I authorized them to do. I therefore accompanied Mr. Duffett, of the said firm, to the Crown Law Officers, where he left the affidavits of Messrs. L. L. Nichols (No. 13); William Bruce (No. 14); and John H. Colly (No. 15). The Minister of Justice and the Attorney-General were absent, and the above affidavits were left with the Chief Clerk, Mr. Chromley.

On the 3rd February Mr. Duffett, of the above, wrote to the Attorney-General, as per inclosure No. 16.

On the 4th February I was informed, as per inclosures Nos. 17 and 18, that on Monday, February 6th, the Law Officers would be glad to see me in relation to said vessel. At the appointed time, in company with Mr. Duffett, and supported by Mr. J. B. Swasey, a loyal American merchant of this city, I repaired to the officers named, when the case of the "Sea King"—"Shenandoah," was discussed with the Minister of Justice and the Attorney-General. During the interview I requested Mr. Duffett to read the affidavit of George Silvester, late a seaman on the "Laurel," and fireman on the "Sea King"-"Shenandoah," (No. 19); and Mr. Duffett left with the Attorney-General the affidavits of Edward S. Jones (No. 20); James Ford (No. 21); George R. Brackett (No. 22); Charles Bollen (No. 23); John Sandall (No. 24); William Scott (No. 25); Frederick Lindborg (No. 26); and he withdrew the declaration of William L. L. Nichols (No. 13) left on the 2nd February, and substituted for it an affidavait of the same person (No. 27).

After much discussion both these gentlemen seemed to admit that the "Sea King"-"Shenandoah" would be liable to seizure and condemnation if found in British waters; but would not admit that she was liable to seizure here, unless she violated the Neutrality Proclamation while in this port, and if she did they would take immediate action against her.

Finding that I could not proceed in the Admiralty Court, I continued to take what evidence I could get, and forwarded it to the Governor, and in the month of February I addressed to him a despatch, in which I sent a list of the affidavits left at the Crown Law Officers, a copy of which (No. 28) is herewith inclosed.

On the 10th February, 1865, I sent to the Governor a despatch inclosing the affidavit of John Williams, showing that persons were concealed on board said vessel, and others on duty on board, and wearing the uniform, which persons had come in said vessel in this port, a copy of which is herewith inclosed (No. 29.)

On the 11th February I received a despatch from the Crown Law Officers, informing me that said John Williams may attend on Monday, the 13th, at the Crown Solicitor's Office, a copy of which is herewith inclosed (No. 31.)

On Monday, the 13th, I induced Mr. Samuel P. Lord, a loyal American merchant here, to accompany said John Williams and Walter J. Madden, who had given like testimony before me, to the Crown Solicitor, to see that the testimony of said persons was properly taken. Just after his departure from the Consulate with the above-named witnesses, two other sailors, named F. C. Bebrucke and Herman Wicke, who said they left the "Shenandoah" only the day before, came to the Consulate and gave substantially the same evidence. I immediately sent them with my clerk, Mr. Gage, to the Crown Solicitor's Office, to support the charge of those already there.

I then sent to the Governor a despatch inclosing the testimony of John Williams (No. 32), Walter J. Madden (No. 33), and Thomas Jackson (No. 34), a seaman on board the "Laurel," and fireman on board the "Sea King," ("Shenandoah"), in support of my protests, a copy of which is herewith inclosed (No. 35).

At about 5 o'clock P.M. on the 13th an officer of the police, accompanied by the clerk from the Crown Law Office, came to this Consulate to obtain a witness to go on board the said "Shenandoah" to identify the persons who had shipped in this port on board said vessel. I declined to let any of them go on board said vessel, unless he would return them to this Consulate, as I apprehended they might be seized as deserters, informing him that they were all impressed from American vessels. He gave me such a promise, and selected Walter J. Madden, who left this Consulate in his charge.

On the 14th I received a despatch from the Governor's Private Secretary, informing

me that my despatches of the 10th and 13th were received, and had engaged, and continued to engage, the earnest attention of the Colonial Government, a copy of which despatch is herewith inclosed (No. 36).

On the same day I sent a despatch to the Governor (No. 37), inclosing the affidavits of F. C. Bebrucke (No. 39), and Hermann Wicke (No. 38), these being the two men whom I had sent the day before to the Crown Solicitors, and whose affidavits I took after their return.

On the 14th February Walter J. Madden returned and informed me that the police were not allowed to search the ship the day before, and that two policemen went on board this morning, and returned without making any arrest; and that he was dismissed for the present. He also informed me that the "Shenandoah" was then on the patent slip undergoing repairs.

On the evening of the 14th the town was full of rumours about the seizure of said vessel. About 5 o'clock I proceeded to Sandridge to ascertain if said seizure was made. Sandridge is opposite Williamstown, where the said vessel was, and in direct communication by a steam ferry-boat, and distant about three miles. While at Sandridge I was informed by a master of an English ship, who was boarded by the "Shenandoah" previous to her arrival here, and whose name I do not remember, that he was on board the "Shenandoah" an hour previous, drinking with the ward-room officers, when Captain Waddell came in with a printed paper in his hand and informed them that the ship had been seized. That he left, coming through the police then around said vessel, by giving his name and occupation.

On the morning of the 15th February it was reported in the papers that the "Shenandoah" had been seized by the authorities; that four persons endeavouring to escape from said vessel were arrested; amongst them was one Charley, who had been named by all the witnesses as being on board and wearing the uniform of said vessel.

With a view of getting the Governor to reconsider his decision as alluded to (No. 11), and in answer to the argument used by the Crown Law Officers at the interview I had with them before referred to, I forwarded to his Excellency a despatch, a copy of which is herewith inclosed (No. 40).

I received the same day a notice from the Police Department informing me of the arrest of four men, and desiring the presence of some person to identify them, a copy of which is inclosed (No. 41).

I sent the four men who had given the information to identify the arrested men, who returned same day, stating that Charley was amongst them, and that the others were also some of the persons referred to in their affidavits as being on board, and that their names were remembered when seen. These men also informed me that the prisoners were remanded, and that they were to appear the next day against them at the Williamstown Police Court. A few hours after I heard that the ship was released.

In the evening, during the session of Parliament, the Chief Secretary announced that the Government had issued no warrant, and that there had been no search; "that a warrant had been only issued for the arrest of one of their subjects, and that being satisfied, they ought not to proceed to extremities in this matter." Permission was then given to the workmen to launch the ship, which had been forbidden.

On the 16th February I had the men to attend at the Police Court in Williamstown as required as witnesses. Two of the prisoners were committed, one released on the ground that he was not a British subject, and the other remanded till next day.

While crossing the Bay to the trial at Williamstown on the 16th, I saw the "Shenandoah" taking in coal from a ship alongside, and Mr. McFarlane, Emigration Officer, a fellow passenger, informed me that she was taking in 200 tons of Scotch coal in addition to the amount she brought here.

On the 17th February I forwarded to the Governor a despatch calling his attention to the fact that the "Shenandoah" was a full-rigged sailing vessel, steam being only auxiliary, and to the amount of coal she had upon her arrival here, and the quantity I learned she was taking on board in this port, a copy of which (No. 42) is herewith inclosed. The same day I learned that the remanded prisoner was also committed, and the four men held as witnesses to appear at the March term of the Court.

On the 17th I forwarded a despatch to the Governor, calling his attention to the affidavits heretofore forwarded him, showing that some ten or twenty persons had been shipped on board said vessel while in this harbour; also notifying him that I had forwarded to the Attorney-General the solemn declaration of Michael Cashmore (No. 43), a highly respectable citizen, to the same purport; and that I had also left with the Attorney-General a solemn declaration of J. B. Lydserff (No. 44) in relation to the sale of prize chronometers in this port by the officers of said vessel, and protesting against

the vessel being allowed to leave this port with said persons on board, a copy of which (No. 45) is herewith inclosed.

On the evening of the 17th of February Andrew Forbes came to the Consulate with the information that several persons were then on the wharf ready to go on board a vessel to join the "Sea King"-"Shenandoah" beyond the jurisdiction of this port; that one of said persons, named James Evans, had told him. Deeming the information important, and that no time was to be lost, I, in company with Mr. S. P. Lord, who was then in the Consulate, took said Forbes with us to the Crown Law Officers to lodge the information, and was met by the Crown Solicitor coming out. Upon my application to take the information, he in an offensive manner positively declined, saying he wanted his dinner; that there were plenty of magistrates in town; that it was none of his business. He informed me that the Attorney-General and Minister of Justice were in Parliament then in session. I then proceeded to the Detective Police Office, and there was informed that if the affidavit of the man was taken before a county magistrate they would execute his warrant. I then went to Parliament House and called out Mr. Higgenbotham, the Attorney-General, who said that if I would go to Mr. Sturt he would take the affidavit. I then went with the witness to Mr. Sturt, more than a mile off, who declined to take it, and said the water police were the proper authorities to act. The water police are at Williamstown, across the Bay, and about four miles from Mr. Sturt's. I then took the testimony which is No. 46 at my office, and despatched it by Mr. Lord to the Attorney-General, and started with the witness to Williamstown; when the witness found he had to go among his acquaintances he was afraid of bodily harm, and refused to proceed.

During the night several persons endeavoured to find me to give information of the shipment of men for said vessel. One Robbins, a master stevedore, found me at 11 o'clock P.M., and informed me that boat-loads of men with their luggage were leaving the wharf at Sandridge, and going directly on board said vessel, and that the ordinary police-boats were not to be seen in the Bay. I informed said Robbins that Mr. Sturt, police magistrate, told me the water police were the proper persons to lodge any information with, and that he, as a good subject, was bound to inform them of any violation of law that came under his notice, which he promised to do.

On the morning of the 18th of February, at about 7 o'clock A.M., the said "Shenandoah" left her anchorage and proceeded to sea unmolested.

I forwarded to the Governor the affidavit of said Forbes (No. 46), inclosed in a despatch a copy of which is annexed (No. 47).

On this day I received a reply from the Private Secretary, dated the 17th February, relating to the supply of coal, a copy of which (No. 48) is herewith inclosed.

I learned that the "Shenandoah" was inquiring for a pilot acquainted with the Australian waters, and I despatched to the Vice-Consul at Hobart Town information to that effect, a copy of which is herewith inclosed (No. 49).

On the 18th of February the aforesaid Mr. Robbins called at the Consulate, and informed me that six boat-loads of men left the wharfs with their luggage during the previous night, and that they were taken on board said vessel through the propeller's hoist-hole. When asked to give his affidavit, he said, as the officials would take no notice, he would only injure his business by so doing, and he declined. He stated that about 70 men went on board of said vessel on the night of the 17th February, and that some of them took and used his boat to go in.

Captain Sears, of the American barque "Mustang," was on the wharf watching, who informs me that he saw several boat-loads of men with luggage go to said vessel while lying in the Bay, and that he also saw Robbins go to the police.

On the 20th I received a despatch from the Private Secretary of the Governor, dated same day, in answer to my despatch of the 15th February, a copy of which (No. 50) is herewith inclosed.

On the 20th I requested, in writing, Mr. S. P. Lord to give me an account of my interview with the Crown Solicitor referred to above. I inclose herewith a copy of said request (No. 51), as well as his answer thereto (No. 52).

On the 22nd I received a despatch from the Private Secretary's office, dated 21st February, in reply to my complaint of the 18th February alluded to above, a copy of which is herewith inclosed (No. 53).

In recapitulating the above, I leave the documents to speak for themselves, convinced that they will meet with the interpretation they deserve. It will be for you to consider whether the "Sea King"-"Shenandoah" was heartily and illegally recognised as a war vessel of a belligerent Power (coming as she did armed from one British port to another, with the marks of her identity still upon her), and allowed to depart again to renew her depredations on the commerce of a Power friendly to Great Britain. It will be for you to

consider whether the shipment of arms and ammunition in Liverpool on board the "Laurel" to be put on board the "Sea King" on the high seas, as borne out by the affidavits of Silvester and Jackson, is in accordance with international law and Treaty obligations, and Her Majesty's Neutrality Proclamation.

The Department will not fail to perceive that with the sworn testimony of four persons before the authorities here to the effect that some ten or twenty persons were shipped in this harbour on board said vessel, and were rationed from her stores, and a part of them at least on duty on board in uniform, said vessel was nevertheless allowed to depart.

The attention of the Department is especially called to the interview alluded to above at page 9 with the Crown Law Officers, to the effect that if the said ship was found violating the Neutrality Proclamation in this port, they would take immediate action against her.

A despatch from the Crown Law Officers above referred to (No. 31) alludes to supporting a charge against certain persons and officers of the "Shenandoah." The police examinations took place as stated on the 16th and 17th February instant, at which time men were committed for trial; and yet at the very time these commitments were being made, the officers who thus violated the neutrality of this port were on board the ship within a mile of the said court, unmolested, and the ship was allowed to take in the additional quantity of coal mentioned hereinbefore. A printed report of the investigations of the persons referred to cut from the "Melbourne Argus" is herewith inclosed (No. 54).

These commitments do not seem to have stimulated the authorities to vigilance in regard to the said ship; otherwise, boatloads of men could not have joined her on the night of the 17th-18th instant as stated above, and confirmed by the extracts taken from the three Melbourne daily papers of the 20th instant, herewith inclosed, and numbered 55.

What motives may have prompted the authorities, with evidence in their possession as to the shipment of large numbers of persons on board said vessel, substantiated by the capture and commitment of some escaping from said ship, to allow the said vessel to continue to enjoy the privileges of neutrality in coaling, provisioning, and departing with the affidavits and information lodged and not fully satisfied, I am at a loss to conceive. Was it not shown and proved that the neutrality was violated? And yet she was allowed her own way unmolested, thus enabling her to renew her violations of neutrality on a larger scale.

There are eyes that do not see and ears that do not ear, and I fear that this port is endowed with such a proportion of them as may be required to suit the occasion. For in what other way can my unsuccessful attempts to obtain the assistance of the authorities on the evening of the 17th instant be explained?

The immunities I enjoyed on this occasion as United States' Consul were of a peculiar nature; instead of being assisted by the authorities I was only baffled and taught how certain proceedings could not be instituted.

I find by this mail a file of the Melbourne "Argus," "Age," and "Herald," the three daily papers of this city, during the time of the stay of the "Shenandoah" in this port, a careful examination of which will be necessary to obtain a complete view of what transpired in this place in relation to said ship and her officers. I also send the Melbourne pictorial papers, giving a picture of said vessel and some of the scenes on board of her.

I herewith inclose (No. 62) extracts cut from said papers in support of some of my statements, which I deem essential to be read in connection with this despatch, for fear the papers sent by mail may not arrive in time, among which will be found the correspondence between the officials here with the officers of said vessel.

I also forwarded to the Governor of the Colony affidavits of Edward P. Nichols, second mate of late bark "Delphine" (No. 59); of E. T. Lingo, steward on board late barque "Delphine" (No. 60); and of Mary Lingo (No. 61), stewardess on late bark "Delphine."

I close by informing the Department that James Francis Maguire, late United States' Consul here, as far as I could see and learn, acted as Consul for the vessel and her officers.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 3 in No. 9.

Mr. Blanchard to Mr. Adams.

Sir, *Melbourne, January* 26, 1865.

THE mail to Europe being about to leave, I hasten to inform you that a Confederate steamer named "Shenandoah" has made her appearance in this port this morning. I beg to inclose extracts of papers.

Some prisoners on board who are now being liberated give the following details respecting her:—

She was the original "Sea King," sailed from London on the 8th October, 1864, and received ammunition from a ship named "Laurel" at sea. Part of the name "Sea King" is still visible, and I shall obtain of these particular letters a photograph. She is represented to have been built at Glasgow, and water-buckets, spoons, forks, &c., are marked "Sea King." She is a wooden ship with iron frame, but not plated. Her armament is eight guns, viz., 8-inch shell guns, two on each side, unrifled, weight about 2 tons 15 cwt., guns bear number 11,522, 11,524, 11,525, these guns are not breach loaders; two rifled guns, about 5-inch bore, one on each side; two ordinary 12-pounders, the original ship's guns.

She has the appearance of an ordinary merchant ship, with long full poop, a large bright wheel-house, oval skylights on the poop. She has one telescope funnel. The mizen topmast and topgallant staysail both hoist from the mainmast head. She is wire-rigged.

The officers declare it would not be safe to fire a broadside. It is the general impression that she is not a formidable vessel. She is leaky and requires two hours, pumping out. The crew consists of 79 all told.

I have, &c.

(Signed) WM. BLANCHARD.

[Copy of the above also sent to the United States' Consul at Hong Kong.]

Inclosure 4 in No. 9.

Protest of William Green Nichols.

I, THE Undersigned, William Green Nichols, of Searsport, United States, formerly Captain of barque "Delphine," of Bangor, Maine, United States, do hereby solemnly declare on oath:

That said barque was of 705 tons register.

That on the 12th October, 1864, she sailed from Gravesend, England, under my command, with a crew of fifteen, and two passengers (wife and child).

That said barque was bound for Akyab, with cargo of machinery, and that until the 29th December, 1864, nothing unusual ocurred.

That on said 29th December last, latitude south 39° 20′, longitude east 69°, I was fallen in with by a ship showing English colours for about half-an-hour while approaching. I showed American colours in reply. The ship on approaching proved to be a steamer with a telescope funnel under sail; she fired a blank shot, upon which I immediately hove-to, she hoisting the Confederate flag after firing the gun.

That immediately after the gun was fired, the Confederate flag was hoisted on said steamer, and on my ship "Delphine" being boarded, I was taken with my mate and ship's papers on board said steamer called "Shenandoah."

That on examining said papers, the Captain of aforesaid steamer, James J. Waddell, declared the ship under my command as a prize, granted me permission to remove the wardrobe of myself and family (consisting of wife and child), but allowed me to take nothing else.

That the crew were allowed the same privileges, with the exception of their beds.

That I, my wife and child, were taken on board said steamer as prisoners, but paroled, whereas such part of crew as would not join the steamer were put in irons.

That above named ship "Delphine" was then ransacked and set on fire by crew of said steamer.

That I declared to the Captain of said steamer the value of ship "Delphine" as being about 3,500*l.* sterling.

That outfit, loss of freight, and wages, which amount to about 3,000*l.*, were not included in above amount.

That immediately on being taken on board I was paroled, and on 23rd instant a new parole was demanded from me in order to enable me to be released on reaching land.

That to-day, the 26th January, 1865, I was released in Hobson's Bay, under parole, which enjoins upon me not to give any information which might tend to the injury of said steamer, or to the detriment of the so-called Confederate cause.

That not for want of loyalty to the United States, but in consequence of wishing not to violate said parole, I decline divulging anything as to her armament, &c.

That the knives, forks, spoons, &c., in use of the said steamer bore the mark "Sea King," and I heard the Captain say that she was formerly the "Sea King;" that he with officers took charge of her at Madeira, or the Isle of Deserta, and sailed with an original crew of seventeen men.

(Signed) WM. G. NICHOLS,
Late Master barque "Delphine," Bangor.

Melbourne, January 26, 1865.

Subscribed and sworn to before me this 26th day of January, 1865.
(Signed) WM. BLANCHARD, *Consul.*

When making the statement to the value of the ship, I thought that on account of having British property on board he might bond the ship and let her go, and I wished to have the bond as small as possible, not that I consider the amount above the value of the ship, neither do I include my private property on board, nor the property of the officers and crew.

(Signed) WM. G. NICHOLS,
Late Master "Delphine."

(Signed) WM. BLANCHARD, *United States' Consul.*

Inclosure 5 in No. 9.

Mr. Francis to Mr. Blanchard.

Custom-House, Melbourne, January 25, 1865.

Sir,

I AM desired by his Excellency the Governor to inform you that an application has been made to land certain prisoners from the Confederate steamer "Shenandoah," now in this port, and I am to request that you will be good enough to inform me, for the information of Sir Charles Darling, whether you are willing to undertake to receive and provide for, on behalf of the Government which you represent, the prisoners above referred to.

I am to request the favour of an early reply to this communication.

I have, &c.
(Signed) JAS. G. FRANCIS,
Commissioner of Trade and Customs.

Inclosure 6 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, January 26, 1865.

Sir,

I HAVE the honour to acknowledge the receipt of a despatch from the Honourable the Commissioner of Trade and Customs, dated to-day, and in reply beg leave to acquaint your Excellency, that previous to its reaching me, at half-past 3 o'clock P.M., I had made provision for the master, crew, and passengers already landed, of the United States' barque "Delphine" (the persons presumed to be referred to in said despatch), burnt at sea by a piratical vessel called the "Shenandoah," ex "Sea King."

I avail myself of this opportunity to call upon your Excellency to cause the said "Shenandoah," alias "Sea King," to be seized for piratical acts, she not coming within Her Majesty's Neutrality Proclamation, never having entered a port of the so-styled Confederate States of America, for the purpose of naturalization, and consequently not entitled to belligerent rights.

The table service, plate, &c., on board said vessel, bear the marks "Sea King," and the captain should bring evidence to entitle him to belligerent rights.

I therefore protest against aid or comfort being extended to said piratical vessel in any of the ports of this Colony.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 7 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, January 27, 1865.

Sir,

THE Undersigned Consul of the United States of America, at the port of Melbourne, begs most respectfully to call the attention of your Excellency to the armed cruiser (referred to in his note of yesterday) now at anchor in Hobson's Bay, and reported to be a vessel of the (so-styled) Confederate States of America.

It must be evident to your Excellency that notoriously all the presumption of fact and law are against the probabilities of the legal character of the vessel in question, and it is not necessary for the Undersigned to more than suggest to your Excellency the case with which any lawless rover of the seas may assume any character designed to effect his purposes.

When in this case the actual circumstances are duly considered, having reference on the one hand to the present condition of the so-styled Confederate States of America, and on the other to the frequent violations in Her Majesty's ports of the laws of neutrality, especially of the well-known facts proclaimed respecting this very vessel before her arrival; there would scarcely seem to remain a doubt as to her real character here, for the first time appearing in her new pretended nationality, coming from no where, bringing in no prizes, destroying without adjudication and without necessity all property seized regardless of ownership, leaving inhumanly, and against the law of nations, large numbers of captives upon a desert island, having in all parts of her, and in the remains of half-erased letters, numberless *indicia* of her genuine nationality, the Undersigned will not doubt, that not only in the interest of justice and the safety of universal commerce upon the seas, but also in vindication of the honour and dignity of Her Majesty's Government (too long contemptuously disregarded by those who, seeking asylum under it, only abuse an honourable hospitality to violate its laws and insult its sovereignty), your Excellency will give so much weight and no more to a "bit of bunting," and "a shred of gold lace," as they deserve; that your Excellency will well assure yourself that those presumptuously lawless men audaciously entering this port upon pretences of necessity (always so easily made), but really that information may be got, and new enterprises hence successfully executed, be really what they claim, and truly entitled to the immunities secured to belligerents (if any) exhibited, be genuine, the bearers thereof, the persons authorised to bear them, their documents (if any) showing the character of the vessels, worthy of credence, and the acts committed, such as ought to receive the favourable countenance of a great and magnanimous Power; in fine, whether the crew and vessel are lawfully entitled to the privileges accorded under the laws and by virtue of Her Majesty's Proclamation to a real belligerent, or whether, on the contrary, the crew be not amenable to punishment, and the vessel to seizure.

And never doubting the anxious desire of your Excellency to maintain a strict neutrality, the Undersigned feels assured that he will not be misunderstood, nor his conduct be deemed too officious, when the peculiar facts of this present case are duly considered. Now, for the first time, action by this Government in the nature of a precedent is to be established respecting the status to be accorded to a vessel here first appearing and claiming a warlike character, suddenly, without notice, under circumstances of the gravest suspicion,—the Undersigned will be pardoned if the gravity of the case, in his opinion, make him feel it to be his duty to urge upon your Excellency the greatest caution that not upon mere assertion of so-called officers, but after the severest scrutiny, it should be determined if this vessel and crew are entitled to the rights of belligerents, or whether the vessel should not be detained until the facts can be duly investigated.

Wherefore the Undersigned, relying upon the vigilance of your Excellency in a case of so much and so pressing importance, protests against the said vessel called the "Shenandoah," alias "Sea King," her so-styled officers, and crew; that from evidence

already taken by him, as well as from facts patent and notorious to all, the legal presumptions are in this case against any just claim to the rights of belligerent; and that, in the instance of justice commend the community of nations, and impartial observance of Her Majesty's Proclamation of Neutrality and of Imperial law, this important right here now under new and peculiar circumstances, in the case of this vessel, first sought to be established, be most rigidly examined, lest, under flimsy pretences of necessity, the ports and coasts of Her Majesty's dominions be not unguardedly thrown open to afford lawless and unauthorized marauders cover, and bases for new and piratical enterprises against the citizens of a friendly Power, their lives and property; and not only so, enterprises fraught with danger to the interests of Her Majesty's subjects, and in direct encouragement of the most audacious violations of the laws of humanity and of nations, lest finally new claims and additional and serious complications unfortunately arise between Her Majesty's Government and the Government of the United States.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 8 in No. 9.

Mr. Tyler to Mr. Blanchard.

Sir, *Toorak, January* 28, 1865.

I AM directed by his Excellency the Governor to acquaint you that your letter of the 28th instant was immediately referred by his Excellency for the consideration and opinion of the Legal Advisers of his Government, and that the same course has been pursued with your letter of yesterday's date protesting against the claims to the right of a belligerent of the vessel now lying in Hobson's Bay, called the "Shenandoah."

His Excellency will not fail to acquaint you with his decision, after he shall have received the advice of the Attorney-General.

I have, &c.
(For Private Secretary),
(Signed) C. J. TYLER.

Inclosure 9 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Sir, *Melbourne, January* 28, 1865.

I AM in receipt of a communication from C. J. Tyler, Esq., your Excellency's Aide-de-camp, dated to-day, informing me that your Excellency has submitted my despatches of the 26th and 27th January instant to the consideration of your Legal Advisers, and that your Excellency's decision, when made, will be forwarded to me.

Evidence being daily accumulating in this office in support of the reasons for the protests I had the honour to forward to your Excellency, I now beg leave to call your attention specially to the following:—

1. That the "Sea King," alias "Shenandoah," now in this port, and assuming to be a war-vessel of the so-styled Confederate States, that any transfer of said vessel at sea is in violation of the Law of Nations, and does not change her nationality.

2. That inasmuch as Her Majesty's Neutrality Proclamation prohibits her subjects from supplying or furnishing any war material or ship to either belligerent, this vessel, having an origin as above, is not entitled to the privileges accorded to the belligerents by said Proclamation.

3. That being a British-built merchant-ship, she cannot be converted into a war-vessel upon the high seas of the so-styled Confederate States, but only by proceeding to and sailing in such character from one of the ports of the so-styled Confederacy.

4. That it is an established law that vessels are to be considered as under the flag of the nation where built, until legally transferred to another flag.

5. That said vessel sailed as an English merchant-ship from an English port, and cannot, until legally transferred, be considered as a man-of-war.

6. That not being legally a man-of-war, she is but a lawless pirate, dishonouring the flag under which her status is to be established, and under which she decoys her victims.

7. That her armament came also from Great Britain in English vessels (the

"Laurel" and "Sea King," now "Shenandoah"), both of which cleared under British seal, or if without it, in violation of established law.

8. That as such she has committed great depredations upon ships belonging to citizens of the United States, making her liable to seizure and detention, and the crew guilty of piracy.

I cannot close this without further protesting in behalf of my Government against the aid, and comfort, and refuge now being extended to the so-styled Confederate cruizer "Shenandoah" in this port.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 10 in No. 9.

Mr. Blanchard to Mr. Leavenworth, United States' Consul at Sydney.

Dear Colleague, *United States' Consulate, Melbourne, January* 28, 1865.

YOU have been acquainted by telegraph of the appearance of a ship (screw-steamer) assuming the name "Shenandoah," and claiming the right of belligerency from Victoria authorities.

I have forwarded to the Governor Sir Charles Darling two despatches respecting it, and beg to inclose copies of documents that have been exchanged between the authorities and the Consulate, viz.:—

1. Despatch of Commissioner of Trade and Customs respecting prisoners to be provided for;

2. Reply to the above, and protest against granting any rights of belligerency;

3. Despatch argumentative, aiming to prove that belligerent rights cannot be accorded;

4. Acknowledgment of receipt of above despatches 2 and 3, showing that protests are under consideration.

Her Majesty's Government being represented in Sydney by a Governor, who is at the same time Governor-General of all Australian Colonies and Commander of all Australian waters, thus overruling all other Governors of Her Majesty's Government in these dominions, I respectfully suggest to you the propriety and necessity of lodging a solemn protest in support of my protest here, showing such reasons as you deem expedient to induce his Excellency to issue orders in all Colonies to seize said vessel as a pirate, and in no way to grant to her belligerent rights.

In stating that your Governor is Governor-General, I have no authority just now at hand (being in great haste and mail closing) to see that I am really right, and it is therefore for you to decide whether my intentions can be carried out.

You are thus acquainted with all the facts relating to this piratical craft, and to the grounds I have taken against her, &c., and I rely upon your hearty and vigorous co-operation.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 11 in No. 9.

Mr. Tyler to Mr. Blanchard.

Sir, *Private Secretary's Office, Melbourne, January* 30, 1865.

I AM directed by his Excellency the Governor to acknowledge the receipt of your letter of the 28th instant, and to acquaint you that having fully considered the representations contained in that communication and in your previous letters of the 26th and 27th instant, and advised with the Crown Law Officers thereon, his Excellency has come to the decision that whatever may be the previous history of the "Shenandoah," the Government of this Colony is bound to treat her as a ship of war belonging to a belligerent Power.

I have, &c.
(For Private Secretary),
(Signed) C. J. TYLER.

Inclosure 12 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, January 30, 1865.

Sir,

I HAVE the honour to acknowledge the receipt of a despatch signed C. J. Tyler for Private Secretary, dated Private Secretary's Office, January 30, 1865, informing me that after full consideration of my several despatches, dated respectively the 26th, 27th, and 28th instant, and after advice of the Crown Law Officers, your Excellency has come to the decision that whatever may be the previous history of the "Shenandoah," the Government of this Colony is bound to treat her as a ship of war belonging to a belligerent Power.

As Consul of and on behalf and by authority of the United States of America, I hereby solemnly protest against the decision of the Government of Victoria, as communicated to me in the above-mentioned despatch. And I further protest as Consul aforesaid, against the Government of Victoria allowing the said piratical craft "Shenandoah," alias "Sea King," to depart from this port, thus enabling her to renew her depredations upon shipping belonging to citizens of the United States of America. And I hereby notify your Excellency that the United States' Government will claim indemnity for the damages already done to its shipping by said vessel, and also which may hereafter be committed by said vessel "Shenandoah," alias "Sea King," upon the shipping of the United States of America, if allowed to depart from this port. That the said vessel is nothing more than a pirate, which the nation whose vessels she robs and destroys has a right to pursue, capture, or destroy in any port or harbour of the world.

I have, &c.

(Signed) WM. BLANCHARD.

Inclosure 13 in No. 9.

Testimony of Lillias L. Nichols.

I, THE undersigned Lillias L. Nichols, wife of William Green Nichols, late master of the barque "Delphine," on board of which I wss a passenger, do solemnly declare:—

I was taken prisoner, together with my husband, and conveyed on board the "Shenandoah," and have been kept on board until the vessel reached Hobson's Bay, when I was at liberty to leave.

Whilst on board I noticed that the plate in use was engraven "Sea King;" and I have frequently been told by the captain and others on board that the vessel was formerly the "Sea King," which sailed from London in October, having on board the first lieutenant of the "Shenandoah." I was also told by Mr. Bullock, the sailing-master, that the "Laurel" conveyed Captain Waddell and the other officers from England to the rendezvous with the "Sea King," off Madeira. I was also told by the captain that the armament which is now on board the "Shenandoah" was brought out from England in the hold of the "Laurel," packed in boxes.

(Signed) LILLIAS L. NICHOLS.

Subscribed before me on this 1st day of February, 1865.

(Signed) Wm. Blanchard, *United States' Consul.*

Inclosure 14 in No. 9.

Testimony of William Bruce.

I, WILLIAM BRUCE, at present of the city of Melbourne, in the Colony of Victoria, make oath and say:—

1. That I am a naturalized citizen of the United States of America, and reside at No. 316, Broadway, Williamsburg, New York State. On or about the 3rd day of October, 1864, I shipped on board the barque "Helena," Captain Staples, then lying in Newport Dock, in the county of Monmouth, in that part of the United Kingdom of Great Britain and Ireland called Wales, as cook and steward.

2. That on or about the 4th day of October, in the year aforesaid, the said barque

sailed from Newport aforesaid to Buenos Ayres, in the Republic of Buenos Ayres, South America, laden with a cargo of railway iron and other sundries, under the command of the said Captain Staples.

3. That the said barque "Helena" was an American ship belonging to Learsport, Maine, United States of America.

4. That no incident of importance occurred in the said voyage until on or about the 29th day of October, 1864, when the said barque was within three days' sail of Madeira, a steamer hove in sight, and I reported the fact to Captain Staples; and about two hours afterwards I was enabled with my naked eye to see that she was a steamer flying English colours.

5. That on the following day the same steamer, at about half-past 1 o'clock in the afternoon, under steam and flying the English flag, came on our lee quarter; and on the said barque displaying the colours of the United States of America, the said steamer fired a blank shot towards the said barque, and hoisted the flag of the so-called Confederate States of America.

6. That the said barque was thereupon hove to, and a boat left the said steamer with eight persons therein, including three persons who represented themselves as officers of the said steamer, who came on board the said barque and ordered the said Captain Staples and the chief officer, Mr. Peterson, in my hearing, to take the papers of the said barque with them and go on board the said steamer, and to look sharp, because another sail was in sight; and that they, the said captain and chief officer, were prisoners of war, and that the said barque was a prize to the Confederate ship "Shenandoah;" and thereupon the said Captain Staples and chief officer Peterson left the said barque in the said boat, in charge of one Hunt, the master's mate, on board the said steamer called "Shenandoah," and proceeded on board the said steamer,—two others, namely, Bullock, sailing-master, and Mason, passed midshipman, representing themselves as of the aforesaid ranks on board the said steamer "Shenandoah," remaining on board the said barque, and ordered the crew of said barque to lower away the sails, which they did, and after the expiration of about half-an-hour, the said Captain Staples and chief officer left the said steamer in the said boat under the charge of the said Hunt, accompanied by another boat with about eight persons (among whom was the carpenter of the said steamer "Shenandoah," who told me his name was O'Shea, and that he was a citizen of New York, United States of America), and came on board the said barque; and the said Bullock gave orders to the crew of the said barque to pack up their clothes and go on board the "Shenandoah," meaning the said steamer, and told me to take all my cooking-gear on board the said steamer.

7. That in pursuance of the said order the said crew and myself went on board the said steamer in one of her boats (the said Captain Staples and chief officer Peterson having been previously sent on board; and on getting on board the said steamer, were ordered to give up our clothes, which we did.

8. That after going on board the said steamer, I and Louis Monrose and Peter Monrose, two of the crew of the said barque, were ordered by the said Bullock again to go on board the said barque, and break open the stores of the said barque, which we did, and the said stores, and also some slop clothes, and the said barque's instruments, were put on board the said steamer; and the said O'Shea, the carpenter of the said steamer, ordered the said Louis and Peter Monrose to assist him in scuttling the said barque; and I saw the said parties go down the hold taking augurs with them, and make holes in the said barque with said augurs; and that after they had done so, I and the said Louis Monrose and Peter Monrose were ordered to leave the said barque and go on board the said steamer; and when I got to the gangway I was asked by the paymaster of the said steamer, one Smith, in the presence of the said Captain Staples, if I would join the said "Shenandoah" as ship's cook, and told me that one of my shipmates had already joined, and that it would be better for me to join; and I thereupon told him that I would not join, as I wished to go to Melbourne to see my mother, to which he replied, "Pity you were not in your mother's arms;" and about half-an-hour after I had been on board the said steamer, I saw the said barque sink; and in that night I was put in irons, and on the following day, namely, on or about the 31st day of October, 1664, the captain of the said steamer "Shenandoah," one Waddell, said to me, "You might as well make up your mind to join;" to which I replied that I had no idea of joining. And the said Waddell thereupon said to me that, if I would join, he would put me in ten months' time wherever I wanted, and I again refused to join, when the said Waddell said, "You will be sorry for it."

9. That on or about the 1st day of November, 1864, one, Whittle, the First Lieutenant of the said steamer, said to me, "Have you made up your mind to join?"

To which I replied that I had not; and thereupon said, "You will be sorry for it, and you will be put in irons at night and made to work all day:" and in consequence of my again refusing to join, I was sent to work in the galley with the ward-room cook of the said steamer, and at night was put in irons.

10. That on or about the 3rd of November, 1864, I was ordered to continue assisting the ward-room cook, and continued assisting him until or about the said 10th day of November, 1864. I was called by the said Whittle aft, and he then said to me, "Steward, you might as well join; it will be better for you:" and I thereupon, in consequence of being ironed every night, made work during the day, and pushed about and abused by the crew and officers, consented to join and subscribed a document agreeing to serve as ward-room steward, and I acted as ward-room steward on board the said steamer thereafter until the 1st of January, 1865, when, in consequence of being sick, I was let off duty, and remained off duty until the said steamer "Shenandoah" arrived at Hobson's Bay on the 25th day of January; and on the 28th January, 1865, I left the said steamer, and placed myself under the protection of the Consul of the United States of America at Melbourne.

11. That during the time I was on board the said steamer "Shenandoah," I was told by the ward-room cook (one Marlow, a native of the Isle of Man) that he shipped on board the "Laurel" steamer from the Sailors' Home, Liverpool, to go to Nassau, and that when he came to a bay at the back of Madeira, when the "Laurel" went to look for the steamer "Sea King," and after three days' looking for her the "Sea King" arrived and made signals to the "Laurel," and the two steamers came together, and with the help of some fishermen the ammunition was put on board the "Sea King" from the "Laurel," and that the "Sea King" then went to the back of Deserta Island, and the "Laurel" went to the front of the island, and was chased by a vessel of war of the United States of America, and the "Sea King" sailed away in another direction, and that her name was then changed to the "Shenandoah."

That I heard the fireman of the said steamer "Shenandoah," one Jackson, a native of Liverpool, say, that he came out on the "Laurel" together with Simpson, a native of Ireland; William ——, a native of Birkenhead; Jim, the ward-room boy, a native of Liverpool; Bay Jones, steerage steward, a native of London; Lou Wester, fireman, a native of London; also another man, a native of London, called Cockney, to join the "Shenandoah" steamer: and all the said parties at different times told me that they left Liverpool to join the ship "Sea King."

12. That one —— Guy, the gunner of said steamer "Shenandoah," and a native of Plymouth, or somewhere in the West of England, told the mate of the schooner "Lizzie M. Stacy," taken as a prize in my presence, that he shipped at London in the "Laurel" steamer to come out and join the "Sea King" steamer.

13. That among the officers and crew of the "Shenandoah" are the following persons, viz., O'Brien, head engineer; ————, third engineer; Jim ——, the fourth engineer; Simpson, sail maker; Jim ——, boatswain's mate; Crawford, gunner's mate; Bullock, sailing master, whom I have heard at different times remark "that we did not do so (referring at different times to the working of the guns) on board the 'Alabama.'"

14. That the said Simpson told me he was on board the "Alabama" at the time of her engagement with the "Kearsarge," United States' ship of war, and that he was a paroled prisoner.

15. That at the time I was first taken on board the "Shenandoah," I saw the bell of the said steamer marked or cut with the words "Sea King," and also the stanchions had the words "Sea King" cut on them, and the words were subsequently filed out of the bell and scraped off the stanchions, and the table services and cloths of the said steamer were marked with the words "Sea King" up to the time I left her in Hobson's Bay as aforesaid.

16. That after I was taken on board the said steamer "Shenandoah," the following vessels were captured, namely, the "Charter Oak," on or about the 5th day of November, 1864; the "Lizzie M. Stacy," schooner; "De Godfrey," barque; "Susan," brig; "Kate Prince," ship; "Edward," barque; and "Delphine," barque, and all the said vessels, with the exception of the "Kate Prince," were either burnt or sunk.

17. That a number of persons taken as prisoners, amounting in all to twenty-five, were on or about the 12th day of December, 1864, landed by the said steamer "Shenandoah," at Tristan d'Acunha, an island in the Atlantic Ocean, and there left by the said steamer.

(Signed) WILLIAM BRUCE.

Sworn at the city of Melbourne, in the Colony of Victoria, this 7th day of February, in the year of our Lord 1865.

Before me,

(Signed) Wm. Blanchard, *United States' Consul, Melbourne.*

Inclosure 15 in No. 9.

Testimony of John H. Colby.

I, JOHN H. COLBY, of Liberty, Maine, United States, America, do solemnly declare and say:—

That I shipped in Boston, Massachusetts, on board the schooner "Lizzy M. Stacy," bound for Honolulu, and sailed in said vessel on the 4th day of October, 1864; that on or about the 13th day of November, 1864, the said schooner was hove-to by a blank shot from a steam-ship under both steam and sails; that I with the rest of the crew was ordered to pack up my things immediately and go on board said steam-vessel by order of a person in uniform, who I afterwards found was acting as second Lieutenant of said steam-vessel; said Lieutenant said that I was a prisoner of the Confederate States; that I with the rest of the crew was then put on board of said steam-vessel; that I asked said officer before leaving the schooner what was the name of said war vessel; that said officer replied "Name unknown;" that upon being taken on board said steamer I was put in irons for the night, and the next morning released, and they tried to force me to work, but I resisted; the First Lieutenant then ordered me to be triced up by the thumbs, and by these and other coercive measures I was in time compelled to join the vessel, in order to relieve myself from tortures and punishments; that I saw the name "Sea King" upon the bell, the wheel, the buckets, &c.; the name upon the wheel was afterwards ground out, I turning the grindstone for that purpose; that the bell was taken by a person acting as carpenter's mate to the engine-room, and the name was there filed out; that if the bell and wheel were now examined, it would be clearly evident that a name on each had thus been erased; that I served on board the said vessel until her arrival in Hobson's Bay on the 25th of January, 1865; that I came ashore on liberty on Monday the 30th of January, 1865; that while on board I learned the said vessel was called the "Shenandoah."

(Signed) JOHN H. COLBY.

Sworn in duplicate before me this 2nd day of February, 1865.

(Signed) Wm. Blanchard, *United States' Consul, Melbourne.*

Inclosure 16 in No. 9.

Mr. Duffett to the Attorney-General, Melbourne.

Sir, *Melbourne, 83, Collins Street, West, February 3, 1865.*

ON Monday the 2nd instant I attended at your chambers with Mr. Blanchard, the American Consul, and left certain depositions (which he had caused to be taken) with your Secretary Mr. Chomley for your perusal, with the view to establish that the "Shenandoah" is in fact the "Sea King," &c.

Mr. Blanchard considered it to be his duty to place the depositions above referred to in your hands, so as to enable the Government to take such steps in the matter as they may think necessary.

Mr. Blanchard has instructed me to state that he will on hearing from you be happy to attend you with the further evidence he has obtained in this matter.

I have, &c.

(Signed) JOSEPH G. DUFFETT.

Inclosure 17 in No. 9.

Mr. Chomley to Mr. Duffett.

Sir, *Crown Law Offices, Melbourne, February* 4, 1865.

I AM directed by the Attorney-General to acknowledge the receipt of your letter of the 3rd instant, and to inform you that he has received and read the depositions in reference to the "Shenandoah," and if Mr. Blanchard desires to see him, he will be glad to receive him on Monday next, at 12 o'clock noon, at these offices.

I have, &c.

(Signed) A. W. CHOMLEY, *Secretary.*

Inclosure 18 in No. 9.

Mr. Duffett to Mr. Blanchard.

Dear Sir, 83, *Collins Street, West, February* 4, 1865.

THE Attorney-General has written me stating that he will be happy to see you on Monday next at 12 o'clock at the Crown Law Offices.

Yours faithfully,

(Signed) JOSEPH G. DUFFETT.

Inclosure 19 in No. 9.

Testimony of George Silvester.

I, GEORGE SILVESTER, at present of the city of Melbourne, in the colony of Victoria, able seaman, make oath and say:—

1. That I am a native of London, England;

2. That on the 5th day of October, 1864, I signed articles as a seaman to proceed to Nassau or the Gulf of Mexico in the steamer "Laurel," and on the following day I went on board the said steamer "Laurel," then lying in the dock at Liverpool, and on the same day the said steamer "Laurel" went into the River Mersey, and while there I saw several cases on board as cargo, which I subsequeutly saw opened.

3. That on the 8th day of October, 1864, at about 3 o'clock in the afternoon (the said steamer "Laurel" then being in the Mersey), I assisted in taking on board 57 barrels of gunpowder which were stowed in the said steamer "Laurel," and after the said gunpowder was put on board a steam-tug came alongside, bringing with her all of the officers and some of the crew that were on board the steam-ship "Shenandoah" at the time of her arrival at Hobson's Bay (except the First Lieutenant), who then came on board the said steamer "Laurel," as passengers, and the same night two steam-tugs came alongside the said steamer "Laurel," and from them were put on board her a number of large cases which I saw subsequently opened, and also shot and shell.

That I assisted in storing the gunpowder put on board as aforesaid, and then saw several cases on board the said steamer "Laurel," which I believe were put on board in dock, and which I subsequently saw opened on the "Sea King" steamer off Madeira, and cannon taken out of them.

5. That on the 9th day of October, 1864, the said steamer "Laurel" sailed from the Mersey, and on the 14th of the said month arrived at Madeira, where she took in coal and remained there for three days, when on or about the 18th of the said month a steamer came in and signalized the "Laurel."

6. That the said steamer "Laurel" hove her anchor and followed the said steamer, at the same time signalizing to stand in for, as I recollect, Funchal, which the said steamer did, and at about 3 o'clock in the afternoon the said steamer and the "Laurel" steamer were alongside each other, and I then saw that the said steamer was a steamer called the "Sea King."

7. That at this time both vessels were flying the English flag, and the "Sea King" anchored, and the "Laurel" fastened to her, and both hauled down their flags, and Waddell and all the officers brought out in the "Laurel" steamer went on board the said steamer "Sea King," and took charge of her, and the "Laurel's" cargo was then transferred to the said "Sea King" steamer, the last of which was put on board on the morning of the 19th day of October, 1864, the crew having worked all night, when the

Confederate flag was hoisted on board the said "Sea King" steamer, and the said Waddell (who now commands the "Shenandoah"), then asked the original crew of the said "Sea King" to enlist for a cruise on board the "Sea King" (the captain who brought out the said steamer "Sea King" having, as soon as the "Laurel's" cargo was transferred, gone on board the "Laurel"), which they refused to do, with the exception of four, namely, Martin, storekeeper; Hutchinson, engineer; W. Clark, coal passer; Jones, engineer, steward, who enlisted with the said Waddell, and went on board the said "Sea King," and the said Waddell also enlisted several from among the crew of the steamer "Laurel," and to such as joined paid them 15*l.* sterling as bounty, and agreed to give them (the sailors) 6*l.* sterling per month for wages, independent of prize money.

8. That the said Waddell said in my hearing "that he was going to wage war with the Federals," and subsequently proceeded to sea; the crew of the "Sea King" who did not join being put on board the "Laurel."

9. That I saw the words "Sea King" on the buckets of the said steamer "Sea King," on the life buoys, on two bells on board, on the wheel and stanchions, and on the harness casks, when I joined her as aforesaid, and I heard that the said steamer "Sea King" was to be called the "Shenandoah," and at different times on the cruise the said words "Sea King" were painted over on the boats, and were erased at different times from the said other parts.

10. That the steam-ship "Shenandoah," now in Hobson's Bay, Victoria, is the steamer "Sea King" I joined as aforesaid.

11. That the bolts now used for fastening the guns of the "Shenandoah" were brought out by and transferred from the "Laurel" steamer to the "Sea King."

12. That the said cases put on board the "Laurel" steamer, and by her transferred to the "Sea King" steamer, off Madeira, as aforesaid, were afterwards opened on board the "Sea King" steamer, at this time called the "Shenandoah," and cannon taken out therefrom; also carriages, upon which they were mounted, and put on deck of the said steamer "Shenandoah," and are now there, and from others of the said cause shot and shell were taken and stored on board the said steamer "Shenandoah."

13. That the said gunpowder brought out by the "Laurel" steamer was put on board the "Sea King" steamer, afterwards called the "Shenandoah," as aforesaid.

14. That on the said cruise we fell in, on the 29th day of October, 1864, with the barque "Alina" (with railway iron), which was scuttled, and afterwards with the schooner "Charter Oak," which was burnt; the barque "De Godfrey," which was also burnt; the brig "Susan," which was scuttled; the ship "Kate Prince," which was bonded; the barque "Adelaide," which was bonded; the schooner, "Lizzie M. Stacy," which was burnt; the whaling vessel, "Edward," which was burnt; and the barque "Delphine," which was burnt.

15. That at the time the "Sea King" was left by the "Laurel" her whole crew, including officers, numbered twenty-three.

16. That the several seamen who joined the "Shenandoah" from prizes did so in order to avoid punishment.

17. That I am a naturalized citizen of the United States of America.

18. That when I first went on board the "Sea King" steamer from the "Laurel" there were two guns then on board of her mounted, which were guns throwing about a 16 lb. shot, and with these guns all the captures made by the "Shenandoah" were made.

19. That the said two guns were not brought out in the "Laurel."

(Signed) GEORGE SILVESTER.

Sworn at the City of Melbourne, in the Colony of Victoria, this 16th day of February, 1865.

Before me,

(Signed) Wm. Blanchard, *United States' Consul, Melbourne.*

Inclosure 20 in No. 9.

Testimony of Edward S. Jones.

I, EDWARD S. JONES, at present of the City of Melbourne, in the Colony of Victoria, Officer, do solemnly and sincerely declare—

That I am a native of Gloucester, Essex County, Massachussetts, United States.

That on the 1st October, 1864, I engaged as Chief Officer of the United States' barque "Delphine," of Bangor, Maine, then lying in the Victoria Dock, London.

That on the 12th October, 1864, said barque sailed for Akyab, with machinery on board, and that up to the 29th December, 1864, nothing unusnal occurred.

That on the 29th December a sail was descried about 10 A.M. ahead, and that coming up with her by about 3 o'clock in the afternoon of the same day, I saw above alluded to vessel flying the English flag, when the barque "Delphine" continued her usual course, showing the United States' flag. The vessel in question then hauled down her flag, and hauled to wind, as we supposed to speak us. She had no suspicious pennant about her, but I was then able to see that she was a steamer; said vessel subsequently hoisted the Confederate flag, and fired a blank shot, whereupon the "Delphine" hove to. A boat from said vessel with five men and two officers, named Bullock and Minor, all well armed, boarded the barque "Delphine." Bullock spoke to Captain Nichols, the captain took ship's papers, and at the request of said Bullock, Captain Nichols went on board the said vessel, where I was requested by said Bullock to accompany him. The boat of said vessel transferred us from said vessel, which we were told was the "Shenandoah;" Captain Nichols was ordered in the cabin, whereas I stopped on deck. Soon afterwards Captain Nichols came from cabin, and told me the captain of "Shenandoah" had condemned his vessel ("Delphine"), and that the said captain ordered him to proceed on board her, in order to bring off his (Captain Nichols') wife and child, as well as clothing. The first Lieutenant of the said "Shenandoah," Mr. Whittle, told me he had orders from his captain not to allow me to proceed again on board barque "Delphine." Captain Nichols soon afterwards arrived on board the "Shenandoah," accompanied by his wife and child, and they brought also their clothes. Upon Captain Nichols' return to the "Shenandoah," I was allowed to go to the barque "Delphine," and immediately on reaching her, Bullock asked me to assist in setting fire to her, which I positively refused. The crew of said "Shenandoah" removed several boatloads of stores, in which the crew of the "Delphine" were made to assist. At about 10 o'clock in the evening I left the "Delphine," and saw her set on fire by Bullock and a man Simpson. I did not see her sink. The paymaster of the "Shenandoah" told me I was a prisoner of war, and made me sign a parole.

That whilst on board of the "Shenandoah" I noticed three boats, all buckets, all life buoys, and many knives and forks bore the mark "Sea King," and I was told by Mr. Bullock, sailing master, Cotton, master's mate, Hutchinson, third engineer, Minor, master's mate, and the carpenter O'Shea, that the "Sea King" was her name previous to her being changed into "Shenandoah." I have heard repeatedly, all the officers say, with the exception of Mr. Whittle, that they came out from Liverpool in the "Laurel" to join this ship, meaning the "Sea King" of London. I heard said officers also say that the guns and ammunition came out in the "Laurel," and that it was a pre-arranged plan to meet the "Sea King," and proceed on a cruise. I also heard said officers state that the guns on the "Shenandoah," as well as the ammunition, were transhipped from the "Laurel" on the "Shenandoah" off Madeira. I also heard them say that the "Laurel" awaited the "Sea King" at Madeira for some days, and that on the "Sea King" rounding a certain point, she was cheered by the crew and passengers of the "Laurel," that the two ships signalled to each other, and that the "Sea King," without coming to anchor, proceeded out again to sea, and was soon afterwards followed by the "Laurel." I heard Mr. Hunt, master's mate, say that the "Sea King" was bought in London for the Confederate Government for a sum, to the best of my recollection, of 45,000*l.* (say forty-five thousand pounds). I heard third engineer say, that he shipped in her in London for Bombay. The carpenter of the "Shenandoah," Mr. O'Shea, told me that when he went on board of the "Shenandoah," she had no bolts to lash the guns, but that the bolts now serving and which were made for that purpose came with the "Laurel" from Liverpool, and that he fixed them. The reason why I was not confined was, because the captain was in hopes that I would join his ship. The first day of my stay in the "Shenandoah," the first officer, one Whittle, wanted to put me in irons, whereupon Captain Waddell told him not to do so, as I might probably volunteer to become one of the ship, as he liked my broad shoulders. I was frequently offered to join the ship, and promised 75 dollars a month, payable in gold, if I did so.

That two days before arriving in Hobson's Bay, I had to sign, in duress, a parole, and on reaching Melbourne placed myself under the protection of the United States' Consulate.

(Signed) EDWARD S. JONES,
First Mate late barque "Delphine."

Subscribed and sworn to in duplicate before me this 6th day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul, Melbourne.*

Inclosure 21 in No. 9.

Testimony of James Ford.

I, THE Undersigned, James Ford, of New York, United States of America, now residing in Melbourne, hereby declare—

That during the month of June 1864 I shipped on board the United States' brig "Susan," at Philadelphia, as a seaman, and remained on board her up to the time of her capture by the so-called Confederate steamer "Shenandoah."

That said ship "Susan" sailed on the 26th September, 1864, from Cardiff, bound for Rio Grande, under Captain Hanson.

That nothing unusual occurred on said ship until the 10th November, when we sighted a sail ahead of us at about half-past 3 o'clock A.M., making an eastward course. At about half-past 5 o'clock same day I was told by one of the crew below that the vessel we sighted before was running up astern. I then went on deck and saw said ship running towards us, flying the English flag; thereupon the Captain gave orders to hoist our flag, after which the said vessel fired a blank shot and hoisted the Confederate flag. Not heaving-to immediately, a second blank shot was fired, whereupon the said ship "Susan" hove-to.

A boat with five men arrived, with two officers named Chew and Brown, boarded us, and took the captain and first mate on board the "Shenandoah," one officer accompanying them: whereas the other took possession and command of the said vessel "Susan."

The same boat, accompanied by another, again came to the said ship "Susan" with about ten men armed; they lowered the boat to the ship "Susan," and ordered the crew to put their clothing, allowing only one bag per man, on board said boat.

The crew from the "Shenandoah" then took such stores from the "Susan" as they thought most desirable, and made crew of "Susan" give assistance in taking stores off. I was asked on board the Susan" to join the crew of the "Shenandoah," which I declined.

The crew from the "Shenandoah" then scuttled ship "Susan," as I heard them knocking off planks in the hold. I, with others, then went on board the "Shenandoah," and was again asked by officers and crew to join the ship, which I did, being unwell at the time. I then signed the articles for a cruize; the mate and second mate, who would not join, were put in irons, whereas the captain was left at liberty.

When on board the "Shenandoah" I noticed that two 12-pounder guns, the bell, the wheel, and some buckets bore the marks "Sea King," and on the bow I noticed the letters "I N G." That whilst sailing I was told by Warren, boatswain's mate, to assist in taking down the bell, which I did, and it was taken in the engineer's room. Subsequently I noticed the said bell hung up, but the name "Sea King" erased, and the marks of files or some instrument of that description were visible when I landed. The name "Sea King" was also erased or taken off from the guns and wheel, all of which bear marks to that effect.

That I overheard frequent conversations to the effect that the "Laurel" and "Sea King" met at Madeira, arriving to a pre-arranged plan, the former having ammunition, arms, and officers and crew on board for the latter. I cannot swear to the parties I overheard telling above.

That out of a crew of about fifty sailors (officers excluded) no more than four or six born or naturalized Americans were on board, the majority of the others being of British origin. That the above four to six born or naturalized Americans were captured prisoners, and in preference to torture, enlisted, but that the original crew of sailors is of entirely foreign descent.

That about twenty-eight men were landed on the Island Tristan d'Acunha.

That whilst I was on board the "Shenandoah" she captured ship "Kate Prince," barque "Adelaide," schooner "Lizzie M. Stacy," barque "Edward," and barque "Delphine;" and in all instances she proceeded in the same way, viz., in signalling to any ship she first hoisted the English flag; upon being replied by the United States' flag, she invariably lowered it, approached the decoyed prey, hoisted a Confederate flag, and fired a gun to make the ship heave-to.

That on arriving in Hobson's Bay I desired to get rid of my impressment, and placed myself under the protection of the United States' Consul.

(Signed) JAMES FORD.

Melbourne, February 1865.

Subscribed and sworn to in duplicate before me, this 2nd day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul, Melbourne.*

Inclosure 22 in No. 9.

Testimony of George R. Brackett.

I, GEORGE R. BRACKETT, at present of the city of Melbourne, in the Colony of Victoria, able seaman, do solemnly and sincerely declare:—

That I am a native of Rocklane, Maine, in the United States of America.

That on the 5th day of October, 1864, I shipped at Boston on board the barque "De Godfrey," of Boston, United States of America, whereof ——— Hallett was Captain, for a voyage to Valparaiso.

That on the 6th day of October, 1864, the said barque, under the command of the said Hallett, proceeded on her voyage to Valparaiso, laden with a cargo of general merchandise; and no particular incident took place on the said voyage until about 8 o'clock in the morning of the 7th November, 1864, when we sighted a sail astern, which continued to gain on the said barque; and about 2 o'clock, when I was at the wheel of said barque, I saw that the sail was a steamer, and that she was getting up steam, and about half-past 3 o'clock in the afternoon I saw the said steamer hoist the English flag; and about 10 minutes to 4 o'clock in the said afternoon the Captain of the said barque "De Godfrey" gave orders to the mate, Mr. Taylor, to hoist the flag of the United States of America, which was done, and the said steamer thereupon hauled down the English flag and hoisted the flag of the so-called Confederate States of America, and fired a blank shot towards the said barque, and in pursuance of an order given by the captain of the said barque, she was hove-to, and the said steamer lowered a boat containing three persons, viz., Bullock, sailing master; Scales, fifth lieutenant; Hunt, midshipman, who represented themselves of the aforesaid ranks on board the said steamer; and five men, who being well armed, came on board said barque. And the said Bullock said to the said Captain Hallett and the mate Mr. Taylor, in my hearing, "Take your papers and go on board 'Shenandoah;' you are prisoners of war, and your vessel is a prize to the Confederate steam-ship 'Shenandoah.'" And the said Hallett and the said mate were then taken on board the said steamer by the said Scales and five men, the said Bullock and Hunt remaining on board the said barque, and gave orders to clew up the sails, which was done.

That in about half-an-hour the said Captain Hallett and mate Mr. Taylor left the said steamer in charge of the said Mr. Scales in the said boat containing five men, accompanied by another boat containing seven persons all armed, and all the said parties came on board the said barque. And the said Bullock then gave orders to the crew of the said barque to break open the stores and put them in a boat, together with our clothing, and to go on board of the "Shenandoah," which we did; and on getting on board the said steamer I saw a fire break out in the said barque, which continued burning until, about half-past 11 o'clock that night, all sight was lost, the said steamer after the said fire broke out having steamed away.

That on my proceeding on board the said steamer aforesaid, Whittle, who said he was first lieutenant of the said steamer "Shenandoah," asked me to join the said steamer, which I refused to do; and he then said to me, "You will fare worse," to which I made no reply, and was then ordered to the other side of the deck, where I went; and afterwards the said Whittle, Bullock, and Grimble (second lieutenant on board the said steamer) came over, and the said Whittle then asked the rest of the crew of the said barque who were with me, and myself, if we were going to sign, to which we all replied, "No." And the said Bullock then said, "Don't you calculate to sign?" To which we all replied again, "No." And then the said Whittle said, "I will give you two hours and a-half to make up your minds, and if you don't sign then, I will put you in double irons, and put you in the fire-room before the furnace on the coals every night, and I will keep you four months if you don't sign, and make you work every day."

That at the expiration of the said two hours and a-half Bullock came to us, and asked if we had made up our minds to sign, and, in reply, I declined again; but eventually, on his holding out threats of punishment, I and John Davy, William West, Walter Madden, and George Hord, being the crew of the said barque, consented to and did sign, agreeing to serve as seamen on board the said steamer "Shenandoah" for six months.

That when I went on board the said steamer I saw the bell was marked or cut with the words "Sea King," and about fourteen days afterwards I was ordered by Howard, the boatswain of the said steamer, to assist in taking down the bell, which was taken down, and three days subsequently I was ordered to assist in putting it back in its place, and I noticed that the said words "Sea King" were taken off, and I was also, about two days before, ordered to scrape off the said harness cask the said words "Sea King," which I did, and also, subsequently, saw that the said words "Sea King" were erased from the guns, two 12-pounders.

That I also noticed a brass plate on said steamer, fixed between the two cabin doors, marked or cut with the words "built by A. S. Stephens and Sons, Glasgow," and that the after-part of the main hatch-combings was marked or cut with the figures and words "790 tons," also the year the said steamer was built, which I now forget.

That while I was on board the said steamer the said Bullock Smith, paymaster of the said steamer; the said Howard Crawford, gunner's mate; Simson, coxswain of the captain's gig of said steamer, and Bowman, chief boatswain's mate, at different times told me they were on board the "Alabama" steamer (sunk some time since by the "Kearsarge," United States' vessel of war), and that they were sunk in her.

That whilst I was on board the said steamer the following vessels were captured, viz., the brig "Susan," ship "Kate Prince," barque "Adelaide," schooner "Lizzie M. Stacy," barque "Edward" and the barque "Delphine," and all the said vessels, except the "Kate Prince" and the barque "Adelaide," were burned or sunk. That Waddell is captain of the said steamer "Shenandoah," and, with the exception of the officers of the said steamer, during the whole time I was on board, out of about thirty-five, making the crew of the said steamer, there were only four Americans on board; all the rest of the crew being English, Irish, Dutch, Swedes, and Norwegians.

That on the said steamer arriving in Hobson's Bay, Victoria, I got liberty to go on shore, and, on getting on shore, placed myself under the protection of the Consul of the United States of America.

(Signed) GEORGE R. BRACKETT.

Subscribed and sworn to, in duplicate, before me, this 3rd day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul, Melbourne.*

Inclosure 23 in No. 9.

Testimony of Carl Bollin.

I, CARL BOLLIN, of Stockholm, Sweden, do solemnly declare:—

That I shipped on board "Delphine" in London, for a voyage to Akyab on the 5th October, 1864, and we sailed on the 9th of same month.

That on the 29th December, 1864, we were captured by an armed vessel called the "Shenandoah" and taken on board and left in irons ten days, when I consented to work. I signed a parole before proceeding to do so, and on our arrival in Hobson's Bay was released, and placed myself under the protection of the American Consul at the port of Melbourne.

That while on board one of the men told me he left the steamer "Laurel" off Madeira, and joined her; at that time she was the "Sea King."

(Signed) CARL BOLLIN.

Subscribed and sworn to in duplicate before me this 4th day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *Unnited States' Consul, Melbourne.*

Inclosure 24 in No. 9.

Testimony of John Sandall.

I, JOHN SANDALL, of Stockholm, Sweden, hereby solemnly declare:—

That on the 5th October, 1864, I signed articles for a voyage on board barque "Delphine" in London, to proceed on a voyage to Akyab, and sailed in her on the 9th October. Nothing unusual occurred until the 29th December, when she was captured by an

armed vessel called "Shenandoah." On taking us on board they kept me in irons ten days, after which I consented to go to work rather than be kept in irons. I remained on board working with the crew until her arrival in Hobson's Bay, when I was released, and placed myself under the protection of the American Consul.

That while on board I had conversations with some of the men, who told me she was the "Sea King," and that they joined her off Madeira, sailing in the "Laurel" from Liverpool to do so. I also noticed the letters "ING" on head board; also a spoon marked "Sea King."

(Signed) JOHN SANDALL.

Subscribed and sworn to in duplicate before me this 4th day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul, Melbourne.*

Inclosure 25 in No. 9.

Testimony of William Scott.

I, WILLIAM SCOTT, of Gothenburg, Sweden, but now residing in Melbourne, Australia, do solemnly declare:—

That on the 5th October, 1864, I signed articles to proceed on a voyage to Akyab in barque "Delphine" as carpenter, and on the 9th October we sailed from the port of London.

That nothing unusual took place until the 29th December following, when we were captured by an armed vessel, at first showing the English ensign, and after firing a gun she displayed a flag of the so-called Confederate States of America.

That I, with the rest of the crew, were taken on board said vessel called "Shenandoah," and asked to join, which I refused to do. I was then placed in irons and told I would be kept there for three or four months unless I would work for them. At the end of ten days I consented to work, and was released on signing a parole, and remained on board until her arrival in Hobson's Bay, when I was released and placed myself under the protection of the American Consul at this port.

That during my stay on board I noticed the letters "ING" on part of her head board; also a spoon marked "Sea King," and saw that the buckets had had a name scraped off them.

(Signed) WM. SCOTT.

Subscribed and sworn to in duplicate before me, this 4th day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul, Melbourne.*

Inclosure 26 in No. 9.

Testimony of Frederick Lindborg.

I, FREDERICK LINDBORG, of Sweden, but now residing in Melbourne, Australia, do solemnly declare and say:—

That I shipped on the 5th October, 1864, on board the barque "Delphine," as a seaman in London, bound to Akyab. Nothing unusual occurred until the 29th December, 1864. That on the said 29th December a sail was sighted about 9 o'clock in the morning, which we gradually neared. That when about three miles distant she hoisted the English flag; the American flag was then hoisted on our vessel, upon seeing which the strange vessel lowered the English flag, fired a blank shot, and raised the Confederate flag. Our vessel was then hove to. That our vessel was boarded, the captain and mate taken on the other vessel, and after bringing the captain back our vessel was declared to be a prize. That after packing up our clothes, I with the rest of the crew was taken on board said vessel, which proved to be a steamer, and was then asked by some of the crew to join her, but I refused to do so. That they then ironed me and put me among the sheep. That I was told by the carpenter's mate that the vessel's name was "Shenandoah." That at the end of sixteen days I consented to work in preference to being kept in irons; I was then released and signed a parole. That I worked with the crew until our arrival in

Hobson's Bay. That on the 26th January, 1865, I was released from imprisonment, came ashore and went to the United States' Consulate for protection and assistance.

(Signed) FREDERICK LINDBORG.

Subscribed and sworn to, in duplicate, before me this 4th day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul, Melbourne.*

Inclosure 27 in No. 9.

Testimony of Lillias L. Nichols.

I, LILLIAS LERVENE NICHOLS, at present of the city of Melbourne in the Colony of Victoria, wife of William Green Nichols, master mariner, make oath and say :—

1. That on the 29th day of December, 1864, I was on board the barque "Delphine," belonging to Bangor, Maine, United States of America, in company with my husband, the above named William Green Nichols, under whose command the said barque then was; and about 3 o'clock in the afternoon of that day, the said barque was hove-to in consequence of a blank shot fired towards her by a steam-ship called "Shenandoah," flying the flag of the so-called Confederate States of America, and was subsequently boarded by Bullock, the sailing master of the said steamer, who told my said husband and the chief officer Mr. Jones that they and the said barque were a prize to the Confederate States of America, and ordered them to go on board the said steamer, and in pursuance of said order my said husband and the said chief officer went on board and subsequently returned to the said barque, and I was taken on board the said steamer, as also my husband, his officers and crew, and about 11 o'clock that night the said barque was burnt.

2. That on my getting on board the said steamer one Waddell, the captain of the said steamer, said to me, Welcome on board the "Shenandoah;" and while I was on board the said steamer I was treated with kindness and consideration by the said Captain Waddell.

3. That while I was on board said steamer I frequently was in conversation with the said Waddell, who frequently told me that he came out in the "Laurel" steamer from Liverpool to a place off Madeira, and that the "Laurel" arrived there three days before the "Sea King," and was waiting three days for the "Sea King," and on the "Sea King" appearing they cheered her; and that the said steamer "Shenandoah" was formerly the "Sea King" and was built at Glasgow, and that the "Laurel" and "Sea King" steamer met off Madeira, and that the guns and ammunition then on board the steamer "Shenandoah" were brought out by the said steamer "Laurel" packed in boxes.

4. That the said Waddell told me while I was on board the said steamer, that he left his wife in England, and that on leaving England he told her that he was going on a cruise, and that she would most likely hear a great many things to his detriment, but not to believe them, and the said Waddell also told me that he picked up his officers, some in Paris, some in Liverpool, and some in London, and that some were recommended by Semmes of the "Alabama" steamer (lately sunk by the "Kearsarge," United States' ship of war), and that his cruise was to burn and destroy everything flying the Federal flag.

5. That the said Waddell told me that Whittle, the first lieutenant of the said steamer, came out in the "Sea King" steamer, and the said Whittle also told me that he came out in the "Sea King," to a place off Madeira, and that when they arrived they were cheered by the people on board the "Laurel" steamer on coming round the point.

6. That the said steamer "Shenandoah" arrived at Hobson's Bay on the 25th day of January, 1865, and two days previous to her arrival the paymaster, one Smith, called me to read a paper document, which I did, and found it was a parole not to bear arms or to do anything to the detriment of the Confederate cause, and I then told the said Smith that I was not a prisoner of war, and that Captain Waddell had frequently told me so, and the said Smith told me I must sign it to get released, and in reply I told the said Smith that I did not consider it binding, and that if any questions were asked me I would answer them. And he then said, "It is a mere matter of form, and was the only way for me to obtain my release;" and on the said representation that it was the only way for me to obtain my release, I signed the said paper document, protesting, as I was then under duress.

7. That I am a native of Searsport, Maine, United States of America.

(Signed) LILLIAS LERVENE NICHOLS.

Subscribed and sworn to in duplicate before me this 3rd day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul, Melbourne.*

Inclosure 28 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, February 9, 1865.

Sir,

I HAVE the honour to inform your Excellency that I have already left at the Crown Law Offices by my attorneys, Messrs. Duffett, Grant, and Wolcott, at different times the affidavits of the following persons, in relation to the "Sea King," alias "Shenandoah," all of which affidavits go to show the real character of said vessel, and are in support of the several protests I have had the honour to forward to your Excellency, and which protests I now reiterate.

I have, &c.
(Signed) WM. BLANCHARD.

List of affidavits left at Crown Law Offices on 2nd February, 1865:

Mrs. L. L. Nichols, wife of W. G. Nichols, Master of barque "Delphine," and passenger thereon.
William Bruce, Steward, barque "Alina."
John H. Coldby, Seaman, "Lizzie M. Stacy."

Left on 6th February, 1865.

Edward S. Jones, Chief Officer, "Delphine."
James Ford, Seaman, "Susan."
George R. Brackett, Seaman, "De Godfrey."
Charles Bollen, Seaman, "Delphine."
John Sandall, Seaman, "Delphine."
W. Scott, Carpenter, "Delphine."
Frederick Lindborg, Seaman, "Delphine."
George Silvester, late a Seaman on the "Laurel," and Fireman in the "Sea King," alias "Shenandoah."

Inclosure 29 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, February 10, 1865.

Sir,

I MOST respectfully beg leave to call your Excellency's attention to that part of the inclosed affidavit of John Williams, taken before me this day, late cook on board the "Shenandoah," alias "Sea King," relative to the shipment of men on board "Shenandoah" in this port.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 30 in No. 9.

Affidavit of John Williams.

I, JOHN WILLIAMS, of Boston, Massachusetts, do make oath and say:—

That I was taken from the barque "De Godfrey" the 7th day of November, 1864, as a prisoner, and put on board the steam-ship "Shenandoah," now in Hobson's Bay. I worked as cook under compulsion and punishment on board said "Shenandoah" from the day of my capture until Monday, the 6th day of February, 1865. That on Monday last swam ashore to obtain the protection of the United States' Consul. That when I left the

said "Shenandoah" on Monday last, there were fifteen or twenty men concealed in different parts of said ship, who came on board since said "Shenandoah" arrived in Hobson's Bay, and said men told me they came on board said "Shenandoah" to join ship; that I cooked for said concealed men for several days before I left. That three other men in the uniform of the crew of said "Shenandoah" are at work on the "Shenandoah," two of them in the galley, and one of them in the engine-room; that said three other men in uniform joined said "Shenandoah" in this port; that I can point out all the men who have joined said "Shenandoah" in this port.

(Signed) JOHN WILLIAMS.

Subscribed and sworn to in triplicate befor me, this 10th day of February, 1865, as witness my hand and seal of office.

(Signed) Wm. Blanchard, *United States' Consul, Melbourne.*

Inclosure 31 in No. 9.

Mr. Coneley to Mr. Blanchard.

Sir, *Crown Law Offices, Melbourne, February* 11, 1865.

I AM directed by the Law Officers of the Crown to acknowledge the receipt of your letter of yesterday's date, addressed to his Excellency the Governor, and containing an affidavit of one John Williams, relative to the shipment of men on board the "Shenandoah" in this port.

In reply, I am to inform you that the above named John Williams may attend on Monday morning next, at the office of the Crown Solicitor, and if he can give evidence sufficient to support a charge of misdemeanour against any of the persons concealed on board the "Shenandoah," or against any of the officers of that ship, proceedings will be taken immediately.

I have, &c.

(Signed) A. W. CONELEY, *Secretary.*

Inclosure 32 in No. 9.

Testimony of John Williams.

I, JOHN WILLIAMS, of No. 6, Richmond-street, Boston, Massachusetts, do declare on oath:—

That I shipped on board the barque "De Godfrey," Captain Halleck, and sailed in said barque from Boston on the 6th of October, 1864; that nothing unusual occurred until the 7th November, 1864, when a vessel under steam and sail, flying the English ensign, ran down to us, lowered the English flag and hoisted the Confederate flag, which I knew, fired a cannon for said barque to heave-to, which said barque did; that a boat from said steamer, containing two officers and six men, all armed, came alongside, both officers came on board said barque, and ordered the captain and first mate to go on board said steam-vessel, and take the barque's papers with them; that the captain and mate, as ordered, did go; that one of the said armed officers took charge of the barque in the captain's absence; that when Captain Halleck returned, he was allowed to take only part of his clothing; that we were all then ordered on board the said steam-vessel; that before I had reached the said steam-vessel I saw the barque I had left on fire, and I watched her until the mainmast went over the side; that after I got on board I was ordered to go into the cabin and work, and all hands called to splice main brace. That the next day the captain of said steamer, Mr. Waddell, said I had better join the ship, as it would be better for me; that as coloured people were the cause of the war, if I did not join it would go hard with me; that said Waddell said he wanted to get all the coloured persons he could; that I offered to work, but refused to join ship; that he then said he would put me in the coal-hole for six months; that he then offered me a months' advance (6*l.*), which I refused, because I am a loyal citizen, and have served my time in the navy of the United States; that I was in the "Congress" when she was sunk in Hampton Roads, and had with me my discharge from the "Minnesota;" that I have been triced up by the thumbs seven times for upholding my country; that I have been triced up after my work was done from 6 o'clock P.M. until 9 o'clock P.M.; that I told Mr. Whittle that I was forced to join said "Shenandoah," and if the "Minnesota" was

here, she would blow this vessel out of the water; he then ordered me to be triced up by the thumbs, which was done by the master-at-arms; that I continued at work on board said vessel until her arrival in the port of Melbourne, and until Monday night last, when I swam ashore, to find the United States' Consul; that when I first went on board the said steam-ship I saw that her articles read "Shenandoah," but all parts of the vessel were marked "Sea King," of Glasgow; that two 12-pounder guns were marked "Sea King," with a crown, and the letters P.D., one on each side of the crown, and the said guns were so marked when I left the said "Shenandoah" on Monday last; that the cooking-stove that I used while on board was marked "Sea King," of Glasgow; that the said stove was on board on Monday last; that Captain Waddell told me he would get me a better stove as soon as the vessel went on the slip; that the bell, sideboard, wheel, and brass plate on the cabin door were all marked "Sea King" when I first went on board said "Shenandoah;" that in all the captures made by said "Shenandoah" since I have been on board the guns marked "Sea King," and having a crown and letters P.D. as before described were use to bring the vessel to; that no other cannon have been fired since I came on board.

(Signed) JOHN WILLIAMS.

Subscribed and sworn to in duplicate, this 11th day of February, before me, as witness my hand and seal of office.

(Signed) Wm. Blanchard, *United States' Consul, Melbourne.*

Inclosure 33 in No. 9.

Testimony of Walter J. Madden.

I, WALTER J. MADDEN, of Boston, Massachusetts, do declare on oath:—

That I sailed from Boston, Massachusetts, in the barque "De Godfrey," Captain Halleck, on October 6, 1864, bound to Valparaiso; that on the 7th of November, 1864, the said barque was captured by a steamer which I afterwards learned was called "Shenandoah," said steamer first showing the English ensign and after we showed our colours she then hoisted the Confederate flag; that I was then ordered on board the said "Shenandoah;" that after I got on board I was told that if I would not join said "Shenandoah" I would be put in irons and in the coal hole until I did join or until said vessel arrived at a port to land me, which might be several months; that being sick at the time, and in order to avoid punishment, I consented to join her for six months, against which shipment I now protest: that when I came on board said "Shenandoah," I saw the aprons on two quarter deck cannons marked "Sea King," which words "Sea King" were about one month afterwards erased; that the bell forward was also marked with the words "Sea King," which words were erased; that I served on board said "Shenandoah," as captain of the hold: that all the stores on board said vessel down to her kelson are marked "Sea King," except those taken from the vessels captured after I came on board said "Shenandoah;" that the letters "ING" cut in the headboard which is broken off off said ship "Shenandoah," and painted over, were still visible when I left the vessel on the 7th February, 1864, in the port of Melbourne; that when I left the vessel on the 7th instant, there were men hid in the forecastle of said ship, and two working in the galley, all of whom came on board of said vessel since her arrival in this port; that the officers pretend they do not know that said men are so hid. That the guns on the quarter deck marked "Sea King" when I came on board, were the only guns on board said "Shenandoah" that were used to make prizes; that on the occasion of the capture of the "Delphine," one of the rifled guns of said vessel was cleared away for use, but the vessel hove to without a shot from said rifled gun.

(Signed) WALTER JAMES MADDEN.

Subscribed and sworn to in duplicate, before me this 9th day of February, 1865, as witness my hand and seal of office.

(Signed) Wm. Blanchard, *United States' Consul, Melbourne.*

Inclosure 34 in No. 9.

Testimony of Thomas Jackson.

I, THOMAS JACKSON, at present of the city of Melbourne, in the Colony of Victoria, able seaman, make oath and say:—

1. That I am a native of Yorkshire, England, and between three and four months ago I shipped at Liverpool on board the "Laurel" steamer, of Liverpool, to proceed on a voyage to the Gulf of Mexico, and was shipped and taken on board the said steamer "Laurel" by Allen, chief engineer of Fraser and Co. of Liverpool, while under influence of drink, and the day after I was taken on board the said steamer a number of boxes were hoisted on board the said steamer "Laurel" from two tug-boats, while the "Laurel" was in the Mersey, and I assisted in putting the said boxes on board, and on the following day the "Laurel" proceeded on her said voyage, or supposed voyage.

2. That after the expiration of about five days from the said steamer's leaving Liverpool on the said supposed voyage she anchored at Madeira and took in coal, and waited at anchor there for about three days, when a steamer signalized the said steamer "Laurel" from outside, and the said steamer "Laurel" then weighed anchor and proceeded to the back of the island and waited for the aforesaid steamer, which came alongside, and I then saw the words "Sea King" on the bows.

3. That the cargo brought out in the said steamer "Laurel" was then transferred to the said steam-ship "Sea King," such cargo being packed in boxes, and was put on board the "Laurel" at Liverpool while I was on board, and while I assisted in putting on board as aforesaid, and the said steamer "Sea King" immediately proceeded on her voyage and hoisted the flag of the so-called Confederate States of America, and the people on board the "Laurel" gave the "Sea King" three cheers, and the "Laurel" then proceeded, as I believe, to Nassau.

4. That I shipped on board the said steam-ship "Sea King" at Madeira as fireman, being engaged by Whittle, who is now first lieutenant of the steam-ship called the "Shenandoah," having been first well supplied with rum to drink by the said Whittle and Bullock the sailing master.

5. That about two days after leaving Madeira in the said steamer "Sea King" the said words "Sea King" were painted over, and the said Whittle, after the said cargo was put on board from the said steamer "Laurel," and about a day after the said steamer "Sea King" left Madeira, read his commission to the crew, and told me that I was supposed to be a Southern man, and the name of the said steam-ship "Sea King" was in future to be "Shenandoah," and thereupon from that time afterwards the said steam-ship "Sea King" was called "Shenandoah."

6. That in about a month or six weeks after leaving Madeira, in the said steamer "Sea King" (at this time called the "Shenandoah") the bell of the steamer bearing the words "Sea King" engraven thereon was brought to me by Grey, the gunner of the said steamer "Shenandoah," who told me to help file the said words "Sea King" out of the said bell, which I did, assisted by Martin the storekeeper of the said steamer, and the next day the said Martin took the said bell back to one of the men and I afterwards saw the said bell on the top gallant forecastle, and the said bell was on board the said steamer "Shenandoah" when I left her in Hobson's Bay, Victoria.

7. That all the officers on board the said steam-ship "Shenandoah" with the exception of the first lieutenant came from Liverpool in the said steam-ship "Laurel," and went on board the said steamer "Sea King" at the back of Madeira as aforesaid.

8. That the said cargo put on board the said steamer at the back of Madeira from the "Laurel," packed in boxes as aforesaid, was afterwards opened, and consisted of cannon, carriages, shot and shell, and also powder, and the said cannon were afterwards mounted on board the said steamer "Sea King," now "Shenandoah."

9. That about two days before the said steamer "Shenandoah" arrived in Hobson's Bay, the said words "Sea King" were still visible on the bows of said steamer "Shenandoah," and the said Whittle told sonme of the crew to paint over the bows of the said steamer again, which they did, and painted a white streak around her stern back.

10. That about six weeks after leaving Madeira as aforesaid some plates with the word "Sea King" engraved or cut therein affixed between the cabin doors and other places on the said steam-ship then called the "Shenandoah" were unscrewed by the carpenter (O'Shea) and thrown overboard.

11. That I have sailed eight or nine years backward and forward from the United States of America, and have a protection as a United States' citizen, which is now, together with all my clothes, on board the said steamer "Shenandoah."

22. That the said "Sea King" had on board of her when I joined her from the said

"Laurel" near Madeira two mounted cannon, and that the said two mounted cannon did not come out in the said "Laurel;" that the said two mounted cannon were the only cannon used to make captures or prizes with, while I was on board said "Shenandoah;" that the cannon taken from the said "Laurel" had never been fired since they were put on board the said "Shenandoah," and I left the "Shenandoah" on the 27th day of January, 1865, at the port of Melbourne.

(Signed) THOMAS JACKSON, his ⋈ mark.

Subscribed and sworn to in duplicate (first reading the above oath to Thomas Jackson in the presence of J. B. Swasey and Simeon Gage, who witnessed also his mark) before me, this 8th day of February, 1865, as witness my hand and and seal of office.

(Signed) Wm. Blanchard, *United States' Consul, Melbourne.*

Inclosure 35 in No. 9.

Mr. Blanchard to Goeernor Sir C. Darling.

Consulate of the United States of America,
Melbourne, February 13, 1865.

Sir,

I HAVE the honour to forward to your Excellency, inclosed herewith, the affidavits of three persons, taken before me, in relation to the "Sea King," alias "Shenandoah," which affidavits go to show the real character of said vessel, and are in support of the several protests I have had the honour to forward to you:—

1. John Williams, late a prisoner from the American barque "De Godfrey," and an impressed cook on board the said "Sea King," alias "Shenandoah."

2. Walter Madden, late a prisoner from same barque, and captain of the hold on board said "Sea King," alias "Shenandoah."

3. Thomas Jackson, late a seaman on board the "Laurel," and fireman on board the "Sea King," alias "Shenandoah."

I have, &c.

(Signed) WM. BLANCHARD.

Inclosure 36 in No. 9.

Mr. Warde to Mr. Blanchard.

Sir, *Private Secretary's Office, February* 13, 1865.

IN acknowledging the receipt of your letter of this date, I am directed by his Excellency to acquaint you that the matter to which it more particularly refers, and which was first brought under his notice in your letter of the 10th instant, has engaged, and continues to engage, the earnest attention of the Colonial Government.

I have, &c.

(Signed) H. L. WARDE, *Private Secretary.*

Inclosure 37 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, February 14, 1865.

Sir,

I HAVE the honour to forward to your Excellency, inclosed herewith, the affidavits of F. C. Bebrucke and Hermann Wicke, late prisoners from the American barque "Alina," and impressed sailors on board the "Sea King," alias "Shenandoah," taken before me this day, which affidavits are in support of my protests, and also tend to show a continued violation of law by persons on board said vessel.

I have, &c.

(Signed) WM. BLANCHARD.

Inclosure 38 in No. 9.

Testimony of Hermann Wicke.

I, THE undersigned Hermann Wicke, now of the city of Melbourne, solemnly declare and make oath :—

That I am a native of Port Hanse, district Achem, Kingdom of Hanover, Germany ; that I shipped as ship's boy, on the 5th October, 1864, at Newport, England, on board the American barque "Alina ;" that on the 6th October the "Alina" sailed from Newport for Buenos Ayres, and that up to the 29th October nothing unusual occurred ; that on the 29th October, at about 10 A.M., a steam-ship, with steam up, and under full sail, was descried coming towards the barque "Alina," and on nearing about two miles the English ensign was hoisted on said steamer, whereupon the barque "Alina" hoisted the United States' colours ; that about 1 o'clock on same day, when within a distance of three quarters of a mile, the said steamer fired a blank shot, lowered the English flag, and hoisted the flag of the Confederate States of America ; that the barque "Alina" thereupon hove-to, and was boarded by a boat from said steamer manned with five sailors and two officers, who were all fully armed with revolvers ; that the captain and mate were ordered on board the steamer, whereas the crew was required to remove such stores from the "Alina" with two boats from "Alina" and two from the steamer, as were pointed out by an officer of the steamer who was left on board ; that the crew was informed that the ship was a prize of the Confederate States of America, and that each of the crew would be allowed to take one bag of clothing on board the steamer ; that I went with others on board the steamer, on the bell of which I saw the name "Sea King," which subsequently was erased ; I was told the name of said steamer was "Shenandoah ;" Captain Waddell, of steamer "Shenandoah," asked me to join ship ; I was intimidated, and, not understanding English properly then, I replied yes to everything I was told and asked ; I signed, being afraid that by not doing so I might lose my life ; that I served on board the "Shenandoah" as coal trimmer, and on the passage to Melbourne eight ships were captured by the "Shenandoah," for the heaving-to of which two ordinary ships' guns aft alone were used ; I never saw any of the two rifled guns out of the four 68-pounders used or fired ; that William Clark, also a coal-trimmer on board the "Shenandoah," told me she sailed from London as the "Sea King," and that he shipped in London on board the "Sea King ;" that the said William Clark was still on board on the 12th instant, when I left the "Shenandoah ;" that since her arrival at Hobson's Bay I did the work of "firemen's mess cook," consisting of bringing to and fetching from the cooking-galley the food for the firemen, and clearing table, &c. ; that the rations in Hobson's Bay are served out by the master-at-arms (I believe named Reed), who gives the rations to Quartermaster Vickings, and this latter brings the rations to the galley to be cooked by cook, known by the name of Charley ; that said cook Charley was not on board the "Shenandoah" on her arrival in the bay, he went on board since her arrival, and he told me he would join the ship as cook ; that he dared not do it in the port, but that he would do it when proceeding outwards ; that I also saw said cook take rations to a number of men concealed in the forecastle, who went on board since her arrival in Hobson's Bay ; that on Saturday, the 11th February, 1865, when working and cleaning the "Shenandoah," three boys who came on board the "Shenandoah" since her arrival in this port assisted in painting between deck, whereas the number of men so concealed (as mentioned above) worked on deck ; that said men so concealed, in number about ten, receive rations cooked in same cooking-apparatus, and served in same way as the regular crew on board, they eat out of the ship's plates in the forecastle, such as were used by the prisoners whilst on the cruize ; that they sleep on board, one part in forecastle, the other part between deck ; that the cook Charley and another, which I could identify if seeing him again, wore sometimes the ship's uniform ; that on the 12th instant I left the "Shenandoah," on leave, and having joined her under intimidation, against which I hereby protest, I place myself now under the protection of the United States' Consulate at Melbourne.

(Signed) HERMANN WICKE.

Subscribed and sworn to, in duplicate, before me the 14th day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul, Melbourne.*

Inclosure 39 in No. 9.

Testimony of F. C. Bebrucke.

I, F. C. BEBRUCKE, of Lubeck, in Germany, seaman, do declare on oath:—

That I shipped on board the American barque "Alina," of Boston, at Newport, England, on the 5th of October, 1864, and sailed in said barque on the 6th of same month, bound for Buenos Ayres; that nothing unusual occurred until the 29th October, when a steam-ship neared us, flying the English ensign, which was then lowered, another flag hoisted, and a blank shot fired to heave our barque to; that the said barque hove-to, and was boarded by armed men from said steam-ship; that said armed men ordered the crew to take one bag of clothes, and go on board said steam-ship; that all the crew of said barque did as ordered; that when I went on board said steam-ship I found eight guns mounted, on two of which guns I saw the words "Sea King;" that her crew consisted of twenty-three officers aft; that in addition to the above officers there was one gunner, two gunners' mates, four quarter-masters, two coxswains, one boatswain, two boatswains' mates, two carpenters, one sail-maker, four firemen, one storekeeper, two coal-trimmers, one master-at-arms; that "Sea King" was also on the bell forward and the harness-casks; that on going on board steam-ship I was asked to join her, which I refused to do; that the master-at-arms was then called, who put me in irons, and in top-gallant forecastle, along with the sheep and hens, where I was kept from Saturday 3 P.M. until Sunday night 11 P.M.; that to avoid such punishment I consented to join said steam-ship, against which imprisonment I now protest; that after I came on board the steam-ship (which I heard called "Shenandoah"), she made eight captures, some of which were burnt, some sunk, and some bonded and let go; that I remained on board said steam-ship until Sunday the 12th February, 1865, when I came on shore at Melbourne on liberty; that the only cannon fired while I was on board were the two guns that had "Sea King" marked on their aprons; that the said marks are not now on the said two guns; that all the prizes were hove-to with said two guns; that before I left the said steam-ship I saw about ten men concealed in said "Shenandoah;" some of said men told me they came on board to join; that several of the said men were at work with me on Saturday last, with the knowledge of the officers; that one of said men told me that he could not sign articles in this port, but was going to do so as soon as he got outside; that one man who was in the galley (who came on board in this port) wears the uniform, and performs his daily duty in said uniform; that said man in the galley has been wearing the uniform for about eight or ten days; that I heard said man in the galley called "Charley;" that all the said men who came on board since we have arrived in Melbourne have rationed from the said ship "Shenandoah;" that I have seen the master-at-arms serve out their provisions to Vicking; that after the provisions are cooked I have seen Quartermaster Vicking take it to them from the galley while concealed in the forecastle.

(Signed) F. C. BEBRUCKE.

Subscribed and sworn to in duplicate before me, this 14th day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul, Melbourne.*

Inclosure 40 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, February 15, 1865.

Sir,

HAVING already forwarded to your Excellency various affidavits taken before me relative to the "Sea King" alias "Shenandoah," in support of the protests I have had the honour to make to you, I now respectfully offer to your consideration the following summary of facts derived from that testimony, with my view of the law applicable thereto.

In October last the "Sea King" cleared from England ostensibly for Bombay, loaded with coal; and, further, equipped with guns, sails, stores, &c., for a long voyage, crew ample, and, besides the regular officers of such a vessel, a Lieutenant in the so-called Confederate service.

Proceeding upon her cruize, she after a few days, by a preconcerted arrangement, falls in with the "Laurel," also from England, and receives from her, upon the high seas, a

further armament, munitions, &c., and the remainder of her officers. This being done, the "Sea King" hauls down the British flag, and hoists that of the so-called Confederacy, assumes a new name, and commences more active hostilities upon the commerce of the United States.

Continuing her cruize after the destruction of several vessels, she enters this port, the first one since clearing from England, and drops anchor in Hobson's Bay, flying the so-called Confederate flag, and styling herself the "Shenandoah," a Confederate vessel of war.

This voyage divides itself into two parts, yet all one cruize and one vessel: the former part rather a transport or store-ship, still well capable of seizing unarmed vessels; the latter part rather an armed cruizer, yet with much to be done to render her really efficient.

The vessel cleared from England really with the intent to be employed against the United States, and was equipped in England to that end. Immediately upon leaving she began the designed hostile cruize, equipped at the start, fully in some respects (as with coals, two cannon, cordage, sails, extra propeller, &c., and an officer of the so-called Confederate States), but rather as a storeship or transport, but in nearly all the cruise fully equipped to effect the intent with which she left England, and with that intent practically and repeatedly executed.

This vessel equipped in England with the intent as stated, the intent absolutely perfected in the hostile cruise (still in progress, and only here interrupted to make it more effective hereafter), now lies in reach of British law.

Is she an offender against the law?

This case differs in some respects from all the reported cases. A vessel has not been built for, nor (as we know), been sold to the so-called Confederate Government.

The difficulties which existed in the minds of two of the Judges in the Alexandra case do not appear in this. The facts here bring this vessel within the condemnatory opinion of all the Judges in that case. In that the charge of "transport or store ship" was stricken off, and the only remaining one was, substantially, "equipped with intent, &c." The arrest was made too soon to make the intent quite sure. A new hull, with only two or three things *argumentatively* pointed at as consistent only with a guilty design. The Chief Baron had committed himself by his direction to the jury in that case, and yet he only insisted (the transport charge not applying) upon some equipment, which would render this vessel more or less effective in a hostile cruise. Baron Bramwell agreed, substantially, not going so far, whilst Barons Channell and Pigot found against the "Alexandra."

The facts, then, in this case condemn the "Sea King"-"Shenandoah," upon the law even of the "Alexandra" case, as laid down by all the Judges. Here we find a "fitting out," an "equipment" of a vessel, with "intent" to be employed as a "transport" or "store ship," and to cruise or commit hostilities against a friendly Power. The "intent," the "fitting out," formed, done, in England, the vessel in completement of the intent actually fitted out and equipped, sailed from England; first, rather as a "store ship or transport," to furnish a more warlike cruizer with guns, coals, cordage, sails, &c. for a long cruize; and second, more fully equipped and officered, with a new name, destroying the commerce of the United States. The original equipment, thus augmented, done in completement of the same design and as part therefor. The original and more complete subsequent equipment, one act in completement of the one intent and one purpose, began in England and perfected there to a certain and sufficient (but afterwards to a more complete) extent, even yet not fully perfected, and here designed to be accomplished. Thus, then, the "intent" "to be employed," &c., is actually carried out, and the offence in all its parts of purpose and execution repeatedly committed; and now from this port, and with increased power, sought to be further repeated.

The law applicable to this offence extends to all parts of Her Majesty's dominions. Her Majesty's Officers of Customs, &c., are duly armed with power to enforce it against the offending vessel.

Proceedings may be *in personam* or *in rem*, or in both.

The offence, though committed in one part of Her Majesty's dominions, may be punished in another part. The nature of the misdemeanour, if it could be punished only in the place of the offence, the law would be nearly migatory. Is it possible that an act declared to be unlawful when done in any part of Her Majesty's dominions, can only be inquired into in the jurisdiction of the place of the offence? If a vessel be fitted out against the law in Sydney, must the authorities at Melbourne refuse to move when the offender comes to this port? Are criminals escaping from England not liable to arrest here? The Act authorizes in the same terms, Officers of Excise, Customs, and Officers of

Her Majesty's navy, in all parts of Her Majesty's dominions, to execute the law upon persons and things. Is it to be said that, although the offence has been committed, the offenders and vessel are to go without challenge in all parts of Her Majesty's dominions, except in the particular jurisdiction of the original offence? Upon what rule of law can such a strange doctrine be maintained, disregarding even the plain directions and most certain intentions of the Act? For a crime inaugurated and continued, is a perpetual offence, wrong from the beginning, wrong whereon in the prosecution of the wrong, each new departure a new offence with aggravation.

This vessel is not a legal cruizer of the so-styled Confederacy. She is invested with no immunity, entitled to no consideration by her false assumption. She is not to enjoy the advantage of her own wrong. Entering here as everywhere in British ports, she is a wrong-doer continuing and aggravating the original offence. Her entering here, intending to continue her illegal cruize is, as against this jurisdiction, a new offence, which renders her amenable to the local jurisdiction.

Whether, then, we interpret the Foreign Enlistment Act in the manner which its obvious intentions almost absolutely require, or in the manner suggested to me by the Crown Law Officers in a recent interview, in either case this vessel should be detained. For if it be granted that the evidence presented would doubtless be sufficient to that end in England, then that evidence should be held sufficient to the same purpose here; because upon the principle above referred to, this vessel cruizing into this port upon an illegal expedition against the United States, and intending to continue that cruize, is an offender here, having gained no immunity by her pretended claim, she simply remains, by British law, an illegal and criminal rover of the sea, everywhere an offender against that law, and in every new port committing, as to the new jurisdiction, a new offence.

Your Excellency will observe that in the foregoing I have confined myself to a view wholly taken from Imperial law. I have urged nothing from a consideration of the law of nations, nor from the obligations of Treaties. These, indeed, doubtless Her Majesty's Proclamation of Neutrality and the Foreign Enlistment Act only illustrate and enforce. Nor can they be interpreted apart without manifest injustice.

I trust, therefore, that upon further reflection your Excellency will reconsider your decision regarding this vessel, against which I have felt constrained to protest so earnestly.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 41 in No. 9.

Mr. Lyttleton to Mr. Blanchard.

Police Department, Superintendent's Office,
Melbourne, February 15, 1865.

Sir,

I HAVE the honour to inform you that I arrested four men last night, who were making their escape from the ship "Shenandoah." They are now in the watch-house at Williamstown, and I shall feel obliged by your sending Madden or some other person who may possibly be able to identify them.

I have. &c.
(Signed) THOMAS LYTTLETON, *Superintendent.*

Inclosure 42 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, February 17, 1865.

Sir,

I RECEIVED information yesterday from Mr. J. McFarlane, emigration officer, in reply to an inquiry, that the "Shenandoah" was taking in 300 tons of coal, in addition to the quantity she had on board when she came into this port, which I learn was about 400 tons, from the ship then alongside of her in the Bay.

The "Shenandoah" is a full rigged sailing vessel, steam is only auxiliary with her, and I cannot believe your Excellency is aware of the large amount of coal now being furnished said vessel.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 43 in No. 9.

Statement of Michael Cashmore.

I, MICHAEL CASHMORE, of Melbourne, do solemnly declare :—

That on or about the 2nd day of this month (February) I went in company with Mr. Lawrence Cohen, of the firm of Cohen Brothers, of this city, on board the Confederate steam-ship "Shenandoah," lying in Hobson's Bay ; that while walking in the between decks I was hailed by name, by a man in the uniform of the ship, who was sitting with other sailors taking soup. I recognized the man to be a late digger at Scarsdale. I asked him "hollo, how came you here?" he said, "I joined them this morning." I asked him if he thought it a better game than gold digging : he replied, "The pay is nothing to boast of, but there is a chance of making a good deal in the shape of prize money." I said, "It is a great change," and wondered how he would be able to stand it. He said, "It was nothing new, as he had been many years on board a British man-of-war. I have known this man several years, and believe him a Cornishman. I do not know his name, but I can readily identify him. Mr. Lawrence Cohen was near me during this interview, and can, no doubt, confirm this my statement.

Melbourne, February 16, 1865.

(Signed) MICHAEL CASHMORE.

Witness :

(Signed) Wm. Blanchard, *United States' Consul, Melbourne.*

Inclosure 44 in No. 9.

Affidavit of John B. Lydserff.

I, JOHN B. LYDSERFF, master of the brig "Spree," of Melbourne, now in Hobson's Bay, do solemnly declare :—

That about fourteen days ago I went on board the "Shenandoah," with a view to purchase a chronometer ; that I inquired if the commanding officer was on board, and if he had any chronometers for sale ; that I was then directed to a person in the uniform of an officer, who said he had. That said officer gave me choice of five or six, that I selected one numbered 960, Fletcher, Pentonville, London, for which I paid 15*l.* sterling. That I paid the purchase money to a person in the uniform of an officer of said "Shenandoah," in the cabin of said ship ; that I have a bill and receipt, but not with me at present.

(Signed) J. B. LYDSERFF.

Subscribed in duplicate before me this 15th day of February, 1865, as witness my hand and seal of office.

(Signed) Wm. Blanchard, *United States' Consul Melbourne.*

Inclosure 45 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, February 17, 1865.

Sir,

I BEG leave to call your Excellency's attention to the affidavits of John Williams, Walter J. Madden, Hermann Wicke, and Charles Bebrucke, the four impressed seamen from the "Shenandoah," heretofore forwarded to you, showing that there have been shipped some ten or twenty persons on board said "Shenandoah" while in this harbour.

I also forwarded yesterday to the Honourable the Attorney-General a solemn declaration of Michael Cashmore, a highly respectable citizen of this place, showing that some fifteen days ago he was hailed by name by a person in uniform on board said vessel ; that said person who hailed him was a late digger at Scarsdale, in this Colony ; that said person informed him he had joined that day, and that said person was taking his meals on board with the other sailors. Mr. Cashmore has informed me that neither of the four men who were arrested while escaping from said "Shenandoah" was the man who hailed him while on board said ship.

I also left the Attorney-General a solemn declaration of John B. Lydserff, master of the brig "Spree," of Melbourne, now lying in Hobson's Bay, showing the sale of chrono-

meters by the officers of said vessel while in this port, said chronometers being "prize," and the sale in violation of Her Majesty's Proclamation.

I am compelled to protest against said vessel being allowed to depart with men furnished her in this port, whether the men are British subjects or others.

And I again protest against the aid and comfort now being extended to said vessel in this port.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 46 in No. 9.

Testimony of Andrew Forbes.

I, ANDREW FORBES, residing in Murphy's Cottages, Sandridge, do declare on oath:—

That about 4 o'clock this day, while on the railway pier at Sandridge, I saw Thomas Evans, Robert Dunning, Charles Bird, William Green, and little Sam, all inhabitants of Williamstown, most, if not all of them, British subjects, standing on the pier, dressed better than usual; that I said to Thomas Evans, What are you all doing ov here? That, after some further conversation, said Thomas Evans said, "I suppose I need not be frightened to tell you." Said Evans then told me that he was going on board the barque "Maria Ross" (then lying in the bay ready for sea), with the others in his company, to join the "Shenandoah," when said "Shenandoah" got outside the Heads; that the boats from the "Maria Ross" were to come to take them on board at 5 o'clock. He also said that there were many more besides his party going the same way.

(Signed) ANDREW FORBES.

Subscribed and sworn to in duplicate, before me, this 17th day of February, 1865 as witness my hand and seal of office.

(Signed) Wm. Blanchard, *United States' Consul, Melbourne.*

Inclosure 47 in No. 9.

Mr. Blanchard to Governor Sir C. Darling.

Consulate of the United States of America,
Melbourne, February 18, 1865.

Sir,

I HAVE the honour to inclose to your Excellency the affidavit of Andrew Forbes, relative to the intending departure from this port of certain persons named therein to join the "Sea King," *alias* "Shenandoah," in violation of Her Majesty's neutrality Proclamation.

Mr. Forbes came to my office at about 5 o'clock P.M. yesterday. Seeing the necessity of immediate action in the matter, I took him at once to the Crown Law Officers to lay information before the Crown Solicitor, to whom I had previously been directed in a communication from the office of the Attorney-General of the 11th February, 1865, to take a witness.

It is with regret that I have to call your Excellency's attention to the fact that while there, in my official capacity, I was most grossly insulted by language and manner by Mr. Gurner, Crown Solicitor, who positively refused to receive the information I was prepared to lay before that Department of the Crown. In consequence the ends of justice have been defeated, and the neutrality of this port violated.

It is hardly necessary to acquaint you that I deem it my duty to send my Government a copy of this despatch.

I have, &c.
(Signed) WM. BLANCHARD.

Inclosure 48 in No. 9.

Mr. Warde to Mr. Blanchard.

Sir, *Private Secretary's Office, February* 17, 1865.

I AM directed by his Excellency the Governor to acknowledge the receipt of your letter of this date, and to acquaint in reply that a ship of war of either belligerent is, under Her Majesty's instructions, allowed to take in coal sufficient to carry such vessel to the nearest port of her own country or to some nearer destination.

I have, &c.

(Signed) H. L. WARDE, *Private Secretary.*

Inclosure 49 in No. 9.

Mr. Blanchard to Mr. Mc Pherson, Vice-Consul, Hobart Town.

Dear Colleague, *United States' Consulate, Melbourne, February* 18, 1865.

I HAVE received reliable information that the "Shenandoah," who has just left this port, is about to visit some of the quiet bays in your island. The officers of said vessel have been searching for a pilot who is acquainted with your coasts and bays. My opinion is that she intends coming there with a view to complete her equipment, she having much yet to do to make her formidable. She cannot fight the guns she has on board. Be therefore on the alert.

Yours respectfully,

(Signed) WM. BLANCHARD.

Inclosure 50 in No. 9.

Mr. Warde to Mr. Blanchard.

Sir, *Private Secretary's Office, February* 20, 1865.

I AM directed by his Excellency the Governor to acknowledge your letter of the 15th, and to inform you that his Excellency is advised that it furnishes no ground for an alteration of the views respecting the presumed character of the ship "Shenandoah" which have been already communicated to you.

I have, &c.

(Signed) H. L. WARDE, *Private Secretary.*

Inclosure 51 in No. 9.

Mr. Blanchard to Mr. Lord.

Sir, *Melbourne, February* 20, 1865.

WILL you please give me in writing an account of my interview held in your presence with the Crown Solicitor, Mr. Gurner, on Friday last?

Yours truly,

(Signed) WM. BLANCHARD.

Inclosure 52 in No. 9.

Mr. Lord to Mr. Blanchard.

Dear Sir, *Melbourne, February* 20, 1865.

YOURS of this date is received, requesting me "to give you an account of an interview held in my presence between you and Mr. Gurner, Crown Solicitor, on Friday last." In reply you must allow me to state the whole occurrences of the afternoon in connection with the affair of shipping men for the "Shenandoah," which were simply these :—

While in your office, about 5 o'clock P.M., a man came in out of breath asking to see the United States' Consul, saying he had run most of the way from Sandridge to report to you that there were a large number of men, many of his acquaintances, that were about going on board the barque "Maria Ross" (then lying in the bay ready

to sail) with the intention of shipping on board the "Shenandoah," which vessel also was about leaving port. You stated that as the information was important and urgent, you would at once take the man to the Crown Solicitor's Office, where you had previously been directed by the Attorney-General to take similar information. You at once took a conveyance and drove to the Crown Law Officers. As we stopped at the gate we saw Mr. Gurner, with one of the employés of the office, coming down the yard from the door; he on seeing us turned partly round and gave, in an under tone, some direction to this employé, which I did not hear. On our entering the gate, Mr. Gurner and this employé stopped half-way down the yard, and on our attempting to pass them to go into the building were accosted by the clerk, who said there was no one in, or something to that effect. When I said we should then have to trouble Mr. Gurner as the business was urgent, and introduced you as the United States' Consul to Mr. Gurner, the Crown Solicitor; he, without noticing or acknowledging you, said very tartly that he was going to his dinner, and could not be detained, when you replied, "I come as the representative of the United States, with evidence to lay before you, the Crown Solicitor, of a large number of men about violating the neutrality laws of the country," at which he replied in a sneering and most insulting manner, "I don't care, I want my dinner, and I am going to have it; there are plenty of magistrates round town, go to them." When I, seeing that you felt bitterly the insulting manner of Mr. Gurner, and wishing to spare you a continuation of it, said, "Let us then go and see the Attorney-General." Mr. Gurner turned his back on us and walked off. When outside the gate, and about a dozen paces down Collins Street he turned and called out, "My dinner, my dinner! Lord, that is what I want." We left and went first to the office of the Chief Commissioner of Police, and not finding either him or Mr. Lyttleton in, we drove to the Houses of Parliament, and on sending your name to the Attorney-General he at once came out and asked us into the side room; he patiently listened to all you had to say, and then suggested that if you would place the matter in the shape of an affidavit he would lay it before his colleagues; that a verbal statement was not sufficient for the Government to proceed upon. We then left and drove to the office of the detective police, and saw Mr. Nicholson, the Chief, who heard the man's statement in full, but as he could not act without a warrant, advised us to go to the Police Magistrate, Mr. Sturt, and get a warrant; then he would at once act upon it. Leaving there, we went to the residence of Mr. Sturt, in Spencer Street, who received you very politely, listened to what you had to say, examined the man, but stated that he could not take the responsibility of granting a warrant on the evidence of this man alone, and advised your going to Williamstown to Mr. Call, who, perhaps, would be in possession of corroborative testimony through the water police. We then left, and it being about half-past 7, and you finding such a disinclination in any one to act in the matter decided to take the depositions yourself and send it to the Attorney-General, leaving it to the Government to take such action on it as it might deem proper. Going to your Consulate the deposition was taken, and a copy inclosed to the Attorney-General, with a request for me to deliver it.

I took it to the Houses of Parliament, which I found closed, and it being then late, about 9, I decided it was too late to stop the shipment of the men, as we understood the vessel was to leave at 5, and I went home and returned the letter to you on Saturday morning. Previous to going home, however, I again went to the detective office, saw Mr. Nicholson, told him how you had been prevented from getting the evidence before the Government in the shape they required it. He expressed his regret, but could not act in so important a matter without a warrant.

I have thus given you as near as I can recollect the occurrences as they took place at the time you mention, and, as I believe, nearly word for word as they were uttered; and I remain, &c.

(Signed) SAML. P. LORD.

Inclosure 53 in No. 9.

Mr. Warde to Mr. Blanchard.

Private Secretary's Office, Melbourne, February 21, 1865.

Sir,

I AM desired by his Excellency the Governor to acquaint you that he received your letter of the 18th instant in the afternoon of that day, Saturday, and that on Monday the 20th he caused it to be referred, through the Honourable the Attorney-General, to the Crown Solicitor for any explanation he might wish to offer.

2. After stating that it was only in consequence of his accidentally returning to his

office at half-past 5 P.M., after it had been closed for the day, that the interview between you and himself occurred at all, Mr. Gurner states that he informed you that not being a magistrate he could not take an information, and adds that he was in a hurry to save a railway train, and therefore left more suddenly than he otherwise should have done, but he positively asserts that neither in manner nor language did he insult you.

3. His Excellency feels sure that the Crown Solicitor's tone and manner have been misapprehended, and confidently assures you that there was no intention on the part of that officer to fail in the respect due to your position as the Consul of the United States of America.

I have, &c.
(Signed) H. L. WARDE, *Private Secretary.*

Inclosure 54 in No. 9.

Extract from the "Argus" of February 17, 1865.

THE "SHENANDOAH" AFFAIR.—THE complications in which the Confederate war-steamer "Shenandoah" is involved have, it is true, been brought to an end so far as practical interference with the vessel is concerned, but the political and moral questions have been by no means unravelled.

Some correspondence which we print below will throw a little light on the affair, and perhaps enable our community to form an opinion for themselves as to the action taken by our local Government.

The main points in dispute can hardly be succinctly stated, but arise in the course of the various considerations involved. But we must first give a history of what has not yet reached our readers.

Wednesday morning, it will be remembered, found the ship still on the Government slip, the manager of the slip refusing to obey the express instructions of her captain to have her launched, giving as his reason that he was ordered by the Government not to let the launch proceed. The slip was then in the hands of the police, whose instructions were to prevent its use for the launch of the "Shenandoah" "at all hazards."

On the previous evening Captain Waddell had received a letter from the Commissioner of Trade and Customs for Victoria, intimating that the facilities hitherto afforded the "Shenandoah" would be suspended on account of the alleged refusal by the Commander to allow a magistrate's warrant for the arrest of one "Charlie," said to be on board, to be executed.

To that letter the captain replied with another, denying that execution of the warrant had been refused, and stating that permission to the police to search the ship had been denied as contrary to the dignity of the Confederate flag; that the vessel had been searched twice, and no "Charlie" found, and that absolutely no one had been shipped in these waters; and finally protesting against any obstruction which would cause the detention of the vessel.

On Wednesday morning, then, finding his vessel still fast on the cradle of the Government slip, and that the Government had taken measures to prevent its removal, Captain Waddell sent his Second Lieutenant to Mr. Francis with this letter:—

"To the Honourable the Commissioners of Trade and Customs.

"Sir, "*Confederate States' steamer 'Shenandoah,' February* 15, 1865.

"I am informed by the manager of the slip upon which the Confederate States' steamer 'Shenandoah' now rests, that the slip has been seized by authority from his Excellency the Governor, to prevent the launching of the Confederate States' steamer 'Shenandoah,' which of necessity is a seizure of the vessel under my command. I therefore respectfully beg to be informed if this seizure is known to his Excellency the Governor, and if it meets his approval.

"Very respectfully,
(Signed) "JAMES J. WADDELL,
"*Lieutenant Commanding, Confederate States' Navy.*"

At 2 P.M. the same day a Proclamation (published in yesterday's "Argus") was made by his Excellency the Governor, revoking the "suspension of facilities" so far as the launch was concerned, and the following letter was addressed to Captain Waddell:—

"Sir, "*Custom-House, Melbourne, February* 15, 1865.

"In acknowledging your letters of yesterday's date, and also in reply to your communication of this morning, I am instructed by his Excellency the Governor to inform you that the lessee of the patent slip, having reported that the safety of the ship 'Shenandoah' may be endangered by her present position on the slip, the suspension of permission to British subjects to assist in launching the ship is withdrawn; while the further matters referred to in your letters are under consideration, and will be replied to with as little delay as possible.

"I have, &c.

(Signed) "Jas. G. Francis.

"J. J. Waddell, Esq.,

"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

Accordingly, the vessel was launched, and taken to a spot midway between Williamstown and Sandridge, where she now lies. At a late hour, after 11 o'clock that night, the following letter was received by the Commander of the "Shenandoah":—

"Sir, "*Custom-House, Melbourne, February* 15, 1865.

"I am directed by his Excellency the Governor to further acknowledge your communications of the 14th and 15th instant, in which, alleging that the vessel under your command had been seized, you ask whether the seizure is known to his Excellency the Governor, and if it meets his approval.

"I am to inform you, in reply, that this Government has not directed or authorized the seizure of the 'Shenandoah.'

"The instructions to the police were to see that none of Her Majesty's subjects in this Colony rendered any aid or assistance to, or performed any work in respect of, your vessel during the period of the suspension of the permission which was granted to you to repair and take in supplies, pending your reply to my letter of yesterday's date, in regard to a British subject being on board your vessel, and having entered the service of the Confederate States, in violation of the British statute known as the Foreign Enlistment Act, and of the instructions issued by the Governor for the maintenance of neutrality by Her Majesty's subjects.

"In addition to evidence previously in possession of this Government, it has been reported by the police that about 10 o'clock last night four men, who had been in concealment on board the "Shenandoah," left the ship, and were arrested immediately after so leaving by the water police.

"It appears from the statements of these men, that they were on board your vessel both on Monday and Tuesday, the 13th and 14th instant, when their presence was denied by the commanding officer in charge, and by yourself subsequently, when you declared that there were 'no persons on board this ship except those whose names are on our Shipping Articles.' This assertion must necessarily have been made by you without having ascertained for yourself, by a search, that such men were not on board, while at the time you refused permission to the officer charged with the execution of the warrant to carry it into effect.

"Referring to that portion of your communication of the 14th instant in which you inform his Excellency the Governor 'that the execution of the warrant was not refused, as no such person as the one therein specified was on board,' I am in a position to state that one of the four men previously alluded to is ascertained to be the person named in the warrant.

"I am also to observe that, while at the moment of the despatch of your letter it may be true that these men were not on board the 'Shenandoah,' it is beyond question that they were on board at the time it was indited, your letter having been despatched five minutes before 10 o'clock.

"It thus appears plain, as a matter of fact, that the Foreign Enlistment Act was in course of being invaded.

"Nevertheless, as the only person for whose arrest a warrant was issued has been secured, and as you are now in a position to say, as 'commanding officer of the ship, and on behalf of your Government, whose faith is pledged by the assurance, that there are no persons on board this except those whose names are on our Shipping Articles, and that no one has been enlisted in the service of the Confederate States since my arrival in this port,' his Excellency the Governor has been pleased to revoke the directions issued yesterday, suspending permission to British subjects to aid and assist you in effecting the necessary repairs and taking in supplies.

"I am to add, it is expected you will exercise every despatch, so as to ensure your departure by the day named in your first letter of yesterday, viz., Sunday next.

"I have, &c.

(Signed) "JAS. J. FRANCIS.

"J. J. Waddell, Esq.,

"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

It was too late to reply that night, but the next morning the following reply was forwarded to the Government:—

"To the Honourable the Commissioner of Trade and Customs.

"*Confederate States' steamer 'Shenandoah,' Hobson's Bay,*

"Sir, *February* 16, 1865.

"I am in receipt of your communication of yesterday's date, and desire to convey through you to his Excellency the Governer my appreciation and thanks for his observance of the rights of belligerents; and further to assure his Excellency the Governor that every despatch is being made by me to get the 'Shenandoah' to sea at the earliest possible moment.

"The four men alluded to in your communication are no part of the vessel's complement of men; they were detected on board by the ship's police after all strangers were reported out of the vessel, and they were ordered and seen out of the vessel by the ship's police immediately on their discovery, which was after my letter had been despatched informing his Excellency the Governor that there were no such persons on board. Those men were here without my knowledge, and I have no doubt can very properly be called stowaways; and such they would have remained but for the vigilance of the ship's police, inasmuch as they were detected after the third search; but in no way can I be accused, in truth, of being cognizant of an evasion of the Foreign Enlistment Act.

"In conclusion, Sir, allow me to inform you that I consider the tone of your letter remarkably disrespectful and insulting to the Government I have the honour to represent, and that I shall take an early opportunity of forwarding it to the Richmond Government.

"Very respectfully,

(Signed) "JAMES J. WADDELL,

"*Liutenant Commanding, Confederate States' Navy.*"

In consequence of the permission granted in Mr. Francis' last letter, coaling was proceeded with and yesterday over 200 tons and a quantity of stores were put on board. Officers and men were all intensely busy, and coal dust seemed to fill the atmosphere. It will take at least two days more to properly complete the stores, but yet it is not absolutely certain that Captain Waddell will wait for that.

Before quitting the subject, it will be well to give a few statements in respect to the aspect of affairs. It is evident from Mr. Francis' last letter, that the Government claim to have permitted the launch because "Charlie" had been taken, while Captain Waddell claims that such a course was forced on them by his threat to accept the detention of the vessel on the Government slip as a seizure. This is certainly a moot point. Captain Waddell's explanation of "Charlie's" discovery is, to say the least, a highly natural one, especially as the fact of the arrest of the four men does not appear to have reached the "Shenandoah," so jealously is she guarded, till Wednesday night. He says that a remark made by one of his men and reported to him after it had gone through several hands, first aroused his suspicion that the two searches made had not been complete.

One of the men had been heard to say that he knew where a man was, and thereupon a third search was ordered, and the four men discovered. They were ordered ashore directly, Captain Waddell not thinking it worth while to hand them over to the police, seeing that the men were sent into the waterman's boat under the nose of the water police, and that rows of armed constables flanked the vessel on each side, and patrolled on long platforms running within ten feet of the ship. In his last letter he has, in his opinion, closed his correspondence with the Government, and to his friends he has asserted that, in the whole course of his twenty-one years' experience in the navy of his country, he never knew of communications on these subjects between a vessel of war and anybody but the representative of the Imperial Government. It is not improbable that, had the communications been between the Commander and his Excellency, that Mr. McCulloch would scarcely have ventured on his assertion to the Legislative Assembly, that a foreign vessel of war had been "ordered" to leave the port.

Inclosure 55 in No. 9.

Extract from the "Herald" of February 20, 1865.

THE Confederate cruizer "Shenandoah" left Hobson's Bay about 6 A.M. on Saturday, and was seen during the afternoon, outside the Heads, by the schooners "Sir Isaac Newton" and "Zephyr."

She steamed up to the former, and hoisted an English ensign, which, on being answered with a like flag, she stood off again. When the "Zephyr" saw her at a later hour of the day she was hove-to off Cape Schanck. Several rumours are afloat that the "Shenandoah" shipped or received on board somewhere about eighty men just prior to leaving. We have since been informed that she took away a large number, but not equal to that above stated.

Inclosure 56 in No. 9.

Extract from the "Argus" of February 20, 1865.

WE may now speak of the Confederate war steamer "Shenandoah" as something that has come and gone. With all the sympathy we may have had with her as the representative of those who are gallantly fighting against long odds, she, in the fulfilment of a warlike errand, was most unwelcome in our still peaceful port, and we are unfeignedly glad of her departure. She left before the time named to our local Government by her Commander, when the demand was made that the period of her leaving should be fixed at as early a date as was possible, but Captain Waddell was anxious to be better than his word. Before the detention on the Government patent slip he promised to be away, if possible, by Sunday, and, by dint of working double tides, night and day, he managed to steam away shortly after daybreak on Saturday last. At first she started at half speed, and fired a gun or so, to give notice of her departure, but nothing followed, and we are informed that she passed Gellibrand's Point at full speed, and was quickly out of sight. Her machinery was little more than patched up, for it was nearly imperative that the pinion nearest the screw shaft should be renewed, but Messrs. Langlands and Co. made a good job of their repairs, and the ship has, consequently, considerable speed. Our latest news of her represent her as having cleared the Heads at noon, steering south-west for about twenty miles, when she altered her course to south, and was lost sight of in a thick mist at half-past 2 P.M. Of the various ridiculous stories that are told of the circumstances that attended her departure we shall only contradict one, viz., the reported arrival on board at 2 A.M. on Saturday morning of Captain Semmes, late of the "Alabama," said to have arrived under a feigned name in the "Great Britain." That remarkably enterprizing and gallant Commander is, we are informed by those most likely to know, by this time in the Confederate States, his health having been seriously impaired by the energy and zeal which characterized the performance of his mission, and the effects of his submersion after the engagement between the "Alabama," Confederate States' navy, and the "Kearsarge," United States' navy. It is not to be denied, however, that during Friday night a large number of men found their way on board the "Shenandoah," and did not return on shore again. It is not improbable yet that we shall have further news of the "Shenandoah."

Inclosure 57 in No. 9.

Extract from the "Herald" of February 20, 1865.

THE Confederate ship "Shenandoah," Captain Waddell, got up steam, and left Hobson's Bay at 6 o'clock on Saturday morning. During her stay in port several repairs have been effected, and a quantity of provisions and coals have been shipped.

There is no doubt that she has taken away with her several men from this Colony; report says eighty, but that is probably an exaggeration.

The neglect of the Attorney-General in not replying to Captain Waddell's questions as to the extent of the neutral limit has apparently absolved that Commander from responsibility so far as carrying on hostile operations outside Port Philip's Heads is concerned; for, according to our shipping report, the "Shenandoah" steamed up to the

schooner "Sir Isaac Newton," evidently with the intention of overhauling her had she happened to be a Yankee vessel.

Inclosure 58 in No. 9.

Extract from the "Age" of February 20, 1865.

THE "Shenandoah" left Hobson's Bay at 6 o'clock on Saturday morning. It is currently reported that she shipped some eighty men just prior to leaving. At a late hour on Saturday she was hove-to off Cape Schanck.

The police on Saturday received the following information relative to an attempt made to enlist men for the Confederate service on board the Confederate steamer "Shenandoah."

About half-past 4 o'clock on Saturday afternoon a man, who gave his name and address as George Kennedy, 125, Flinders Lane East, called at the police-office in Russell Street, and stated that having seen an advertisement in the "Argus," he called on the advertiser, "Powell," with whom was another man whose name he did not know. He remained in their company for several hours, during which time they supplied him with drink, and endeavoured by every kind of persuasion to induce him to join the Confederate service on board the "Shenandoah," for which purpose they also conducted him to the wharf, and desisted from their efforts only when he openly stated his intention of reporting the matter to the authorities.

Kennedy further stated, that when the men were using their endeavours to get him to join the "Shenandoah," there were several other persons present who accepted their offers, and whom he now believes to be on board that vessel.

A warrant has been issued by the Melbourne bench for the apprehension of the offenders.

Inclosure 59 in No. 9.

Testimony of Edward P. Nichols, Second Mate of the late barque "Delphine."

I, EDWARD P. NICHOLS, do solemnly declare that I am a citizen of Searsport, Maine, and have sailed on board barque "Delphine," from the 23rd day of March, 1861, up to the 29th day of December, 1864.

That she sailed from Gravesend on the 12th October, 1864, bound to Akyab.

That everything went on well till the 29th of December, when we saw a ship on our lee-bow, steering a little more to the southward than we were. As we came up with her she had every appearance of a merchant-ship. After a while she hoisted the English ensign, and we hoisted the American ensign. She being very near in our course, we ran across her stern, and as we opened out to leeward we saw her guns. She then fired a gun, and hoisted the Confederate flag, having hauled down the English flag a short time before.

That we immediately hove-to; that they then sent a boat to us with two officers and boat's crew; that one officer went to Captain Nichols, and asked him to show his papers; that after looking at the papers he sent the captain and first mate on board the steamer with the other officers, leaving an officer and one man on board, armed with cutlass and revolvers.

That Captain Nichols was brought back, with orders to pack up his clothes, and all on board were ordered to do the same.

That they took all cabin stores, liquors, charts, nautical books, and instruments, and sent them on board of the steamer, with all hands that belonged to the "Delphine." They then set fire to the "Delphine," and that is the last I know of her.

That after I got on board of the "Shenandoah," as they said she was called, we were (the captain, mate, and myself) told to sign a parole not to bear arms, or do anything against the Confederate cause.

That two days before we landed we had a second parole brought for us to sign, with an addition to the first, that we would give no information that we might have gained while on board, and was told that that meant if we knew where she was going to keep it quiet; but I will say this, and not break the parole, that her life-buoy had the name "Sea King," and that her knives, forks, spoons, all bore the name "Sea King."

That I heard the officers say she was out on this coast (Australia) last year with troops.

That I heard the officers say when they heard the report that was in the papers, stating that the "Sea King" ran on a rock and was lost, "a sharp man that fellow, but she is not lost yet, for here she is going into Melbourne under the name of "Shenandoah."

(Signed) EDWARD P. NICHOLS,
Second Mate of the late barque "Delphine."

Subscribed and sworn to before me in duplicate this 3rd day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul.*

Inclosure 60 in No. 9.

Testimony of Edward T. Lingo.

I, EDWARD T. LINGO, of St. Louis, Missouri, do solemnly declare on oath :—

That I shipped as steward with my wife as stewardess on the 1st day of October, 1864, on board the American barque "Delphine" in London, England; that I sailed in said capacity on board said barque from London on the 12th October, 1864; that nothing unusual occurred until the 29th day of December, 1864, when we fell in with a steamship flying the English ensign; said steamer fired a blank shot for us to heave-to, at the same time lowering the English ensign and hoisting a Confederate flag; that the said barque was then boarded by an officer in uniform from a boat from said steamer, the two officers of which boat were armed; that the said boarding officer, who I afterwards learned was named Bullock, ordered Captain Nichols and the first mate to take all the ship's papers, and go on board said steamer; that Captain Nichols and the mate did so, said Bullock taking charge of said barque during their absence; that afterwards said Bullock ordered all hands to pack up and go on board said steamer, which order I and my wife and all hands obeyed; that after going on board said steamer I was told by Mr. Whittle, first lieutenant, that I could take my choice either to remain in the cabin of said steamer, wait on Mr. and Mrs. Nichols and others, or go in irons; that I then consented to serve as he said, to avoid punishment; that I remained on board said steamer serving as aforesaid until the steamer arrived in the port of Melbourne, when I signed a parole, and was then allowed to come on shore.

(Signed) E. T. LINGO.

Subscribed and sworn to in duplicate before me this 11th day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul.*

Inclosure 61 in No. 9.

Testimony of Mary Lingo.

I, MARY LINGO, wife of Edward T. Lingo, of St. Louis, Missouri, and stewardess on board late barque "Delphine," do declare on oath :—

That I shipped as stewardess on board "Delphine," in London, on the 1st October, 1864; that I sailed from London in the said barque about the 12th October, and that nothing unusual occurred until the 29th December, 1864, when the said barque was boarded by armed men from a steamer, and I with the rest of the crew was ordered on board said steamer by a person in uniform, who I afterwards learned was Mr. Bullock, an officer of the Confederate States of America; that upon going on board said steamer I learned first from a boy called James on board that said steamer was called "Shenandoah," and that she sailed from London as "Sea King;" that I found "Sea King" on the plate and table cloth; that I have now with me a knife marked "Sea King," also a fork marked "Sea King," which I brought from said vessel when I left her in the port of Melbourne on the 26th January, 1865, and which I now produce.

(Signed) MARY LINGO.

Subscribed and sworn to in duplicate before me this 16th day of February, 1865, as witness my hand and seal of office.

(Signed) WM. BLANCHARD, *United States' Consul.*

Inclosure 62 in No. 9.

Newspaper Extracts, &c.

From the "Herald" of January 26, 1865.

A CONFEDERATE WAR-STEAMER IN HOBSON'S BAY.—Considerable interest was manifested yesterday morning in the city by an announcement posted at the telegraph office that the auxiliary screw-steamer "Royal Standard" had been signalled off Cape Otway after an extraordinary run of fifty-two days from Liverpool. The news was speedily promulgated through the city, and the arrival of the vessel in Hobson's Bay was anxiously looked forward to. Late in the afternoon when the steamer had arrived at Port Phillip Heads, a telegram was received by the Chief Secretary announcing that the steamer reported was not the "Royal Standard" as supposed, but the Confederate man-of war "Shenandoah" of eight guns. The vessel at once proceeded up the channel and anchored in the bay at a few minutes before 7 o'clock, flying the Confederate flag. The intelligence that a vessel of the Confederate navy had arrived in our waters was speedily made known, and several boats put off to the "Shenandoah," but Captain Waddell her Commander positively declined to allow any person to come on board until such time as he had communicated with the shore. As soon as possible Lieutenant Grimble, one of the officers, was dispatched to Toorak to wait upon his Excellency the Governor, and request that the vessel might remain for a certain period in neutral waters for the purpose of coaling and repairing her machinery.

The "Shenandoah" is a steam-vessel of 1,160 tons, 240 horse-power, and carries eight large guns. She is commanded by Captain James Waddell, and the following is a list of her officers:—Lieutenants: W. C. Whittle, John Grimble, J. S. Lee, F. T. Chew, D. M. Scales; master, J. M. Bullock; chief engineer, M. O'Brien; surgeon, C. E. Lining; acting-paymaster, W. B. Smith; passed midshipmen, O. A. Brown and J. T. Mason; assistant-surgeon, E. F. M'Nutty; assistant-engineers, W. H. Codd, J. Hutchinson, E. Muggofery; master's mates, C. E. Hunt, J. F. Miner, L. Calbon; boatswain, G. Harwood; carpenter, J. O'Shea; gunner, J. L. Guy; sail-maker, Henry Ollcott; second carpenter, John Lynch. In addition to these officers she has a crew of seventy-five men.

The "Shenandoah" has been at sea since the 15th of October last, and during that time she reports having captured and burnt no less than eleven Federal merchantmen. The crew of the "Shenandoah" has been partly made up from the men on board the various prizes. The men are a fine and determined looking set of fellows. The uniform worn is a sort of yellowish grey, with a shoulder strap of blue silk bearing a single star, surrounded by a thin gold cording. The cap is also grey, with a broad gold band.

The "Shenandoah," we believe, has been off the Australian coast for the last ten days, and on her arrival off the Otway yesterday she failed to run up any colours, as the captain did not wish to be reported by the vessels going out. We believe that under a recent proclamation the "Shenandoah" will not be allowed to remain in the port more than forty-eight hours.

From the "Argus" of February 23, 1865.

SINCE October last the history of the "Shenandoah" has been an eventful one. There is no doubt she is identical with the Chinese Clyde-built steam-clipper "Sea King," noted for her speed, and which, when she brought troops to Auckland last year, made one of the shortest trips on record. As far as we can gather, the transformation of an English merchant steamer into a Confederate States' man of war took place thus,

The "Laurel" blockade runner started from Liverpool with a cabin full of "likely looking young men," as the pilot called them, on the 8th of October last, and Friday the 14th saw her in Funchal Bay, Madeira.

The passengers did not go on shore and were believed by the Madeira folks to be Polish emigrants. Three days afterwards a large steamer, ship-rigged, steamed in and then out the harbour, the "Laurel" following to the east side of the island, both flying British colours. Here it is said the strange ship was purchased for 45,000*l.* and the passengers and cargo of the "Laurel" transferred to her.

The "Laurel" then went her way and the strange steamer stood out to sea, none of the packages brought by the "Laurel" being broken. When beyond the neutral marine league from shore Captain Waddell summoned the men and aft and read his Commission as commander of the Confederate sloop of war "Shenandoah," ordered to cruize and

destroy the enemy's commerce. At that time twenty-five men constituted the whole crew, a number which, deducting officers, left five men in each watch.

To put his ship in order and arrange its armaments, were the first things Captain Waddell set about doing. Sailing by day and steaming by night, the ship, now called the "Shenandoah," was taken to a quiet place in the trades, and there, comparatively secure from the enemy's cruizers, men and officers set to work with a willing mind to get her into trim. This done the "Shenandoah" entered on her functions, selecting for her cruising-ground the track of vessels bound for the South American ports. Success attended her. Her plan was, when she crossed a vessel to show English or French colours and fire a gun; after which if the other proved to be a Yankee, she was taken and destroyed, and her captain and crew made prisoners. The following is a correct list of the vessels captured and destroyed by the "Shenandoah:"—

"Alina," barque, Staples master, from Akyab to Buenos Ayres; cargo of railway iron. Scuttled 29th October, latitude 16° 47′ north, longitude 16° 43′ west.

"Charter Oak," schooner, Gillman master, from Boston for San Francisco; assorted cargo. Burnt 5th November, latitude 7° 38′ north, longitude 27° 49′ west.

"De Godfrey," barque, Hallet master, from Boston to Valparaiso; assorted cargo. Burnt 7th November, latitude 6° 28′ north, longitude 27° 6′ west.

"Susan," brig, Hansen master, from New York to River Plate. Scuttled 10th November, latitude 4° 20′ north, longitude 26° 39′ west.

"Kate Prince," for Bahia, neutral cargo. Ship bonded the 12th November.

"Adelaide," barque, of Baltimore, to River Plate; neutral cargo. Ship bonded for 23,000 dollars.

"Lizzie M. Stacy," schooner, New York to Sandwich Islands; assorted cargo. Burnt 13th November, latitude 1° 40′ north, longitude 28° 24′ west.

"Edward," whaling vessel. Burnt 4th December, latitude 37° 47′ south, longitude 12° 30′ west.

"Delphine," barque, from London for Akyab. Burnt 29th December, latitude 29° 10′ south, longitude 69° east.

The larger portion of the sailors taken prisoners, volunteered to join the "Shenandoah" and were accepted; the remainder, all but a few, were transhipped to other vessels met with on the high seas. The remnant were eight men besides Captain Nichols of the "Delphine," and wife and stewardess, who were brought hither. Unassisted, but unimpeded, they made their way out of the "Shenandoah" very shortly after the vessel's arrival in Hobson's Bay, and before permission to land them, for which application was made to the Government, could be afforded.

* * * * *

About this time, and in answer to a hint from the Government respecting the need of an early departure, Captain Waddell addressed the Government thus in one of his letters:—

"I am extremely anxious to get the 'Shenandoah' to sea. The procrastination by the parties employed under his Excellency the Governor's permission for the necessary repairs to this ship seems to me unnecessary, and if I appeal to his Excellency the Governor for further instructions to those employed to hurry up the work on this ship, I hope his Excellency the Governor will see in it the spirit of a law-abiding man, and one impatient to be about his country's business."

The Government by their action appeared to admit the necessity of the delays, and not till twelve days after the ship had been in port asked that a day should be named for her departure. Captain Waddell again replied that the delays were caused by the difficulty of getting the ship on the slip, and the notorious effects of some seven gales, which once caused the "Shenandoah" to get adrift, and nearly occasioned very serious damage.

These reasons were apparently admitted to be good, and eventually on the 14th February, Captain Waddell announced to Mr. Francis that he expected to get to sea by the Sunday following. Hitherto the only public expression of ill-feeling emanated from Mr. Berry, a Member of our Lower House of Legislature. In his place in the Legislative Assembly, he called the attention of the Government to the subject, stating that the "Shenandoah," being in reality the "Sea King," and an English vessel, should be seized under the Neutrality Proclamation. In reply the Chief Secretary pointed out that there was nothing which could be accepted as proof of the Hon. Member's assumption, and Mr. Berry received an unmistakable snubbing at the hands of several other members of the House, including Mr. O'Shannassy, whose remark that Mr. Berry might as well have let the matter alone was cheered in all parts of the House.

* * * * * * *

The instructions given to the police will be best described in the following telegram:—

"Telegram from Mr. Standish, Chief Commissioner of Victorian Police, to Mr. Bearer, Police Inspector stationed at Williamstown.

"I have to direct that you communicate with Mr. Chambers, the lessee of the patent slip, that the Governor in Council has given direction that he and all other British subjects in this Colony at once desist from rendering any aid or assistance, or perform any work in respect to the said classed Confederate ship 'Shenandoah,' or in launching the same. You will at once proceed with the whole of the police at your disposal to the patent slip, and prevent, at all risks, the launch of said ship. Superintendent Lyttleton, and fifty men, also fifty of the military, proceed at once to Williamstown, telegraphing anything that may occur direct to me.

(Signed) "F. C. Standish.

"*Tuesday, February* 14, 1865."

The military, fifty men of the Royal Artillery, started, but were countermanded. When affairs were at this stage, Captain Waddell received a letter from Mr. Francis, on behalf of the Government, charging him with having refused permission to execute the warrant, and calling upon him to reconsider his determination, pending which the permission granted to repair and take supplies was suspended.

Captain Waddell at once replied that the execution of the warrant had not been refused, but only permission to "search" the ship, whose deck represented the majesty of the flag that flew over it. He added, moreover, that the shipping articles had been exhibited to show that no one had shipped while the vessel was in port, and that he had ordered two commissioned officers to search the ship, but they had found no strangers. He concluded by entering, in the name of his Government, his solemn protest against any obstructions that would cause the detention of his ship. The day's proceedings were closed by the captain giving orders for the launch of his ship early next morning.

An episode occurred here that belongs to this narrative. At a few minutes after 9 P.M. on that evening, the police who were stationed all round the vessel, and within a very few yards of her, saw four men come down the gangway into a boat alongside. The water police close by followed this boat, which was rowed swiftly away, but the end was that the four men were arrested on shore, and subsequently identified by some deserters as men whom they had seen concealed on board, one being the identical "Charlie."

Next day they were brought before a magistrate, and remanded until the following day, Thursday.

Meanwhile, on Wednesday morning, Captain Waddell finding that the launch of his vessel, which was securely fast on the patent-slip, was prevented by the order of the Government, wrote at once to Mr. Francis, declaring his vessel to be seized, and asking if the Governor approved of this.

At 45 minutes past 1 o'clock on the same day, the Governor by Proclamation revoked the prohibition of the launch, and a letter from Mr. Francis to Captain Waddell intimated that as it was reported that the safety of the ship was endangered by her position on the slip, the suspension of the permission to British subjects to assist in the launch was withdrawn. In consequence the ship was launched the same evening.

Late at night Captain Waddell received the following communication:—

"Sir, "*Custom-House, Melbourne, February* 15, 1865.

"I am directed by his Excellency the Governor to further acknowledge your communication of the 14th and 15th instant, in which, alleging that the vessel under your command has been seized, you ask whether the seizure is known to his Excellency the Governor, and if it meets his approval.

"I am to inform you in reply, that this Government has not directed or authorized the seizure of the 'Shenandoah.'

"The instructions to the police were to see that none of Her Majesty's subjects in this Colony rendered any aid or assistance to, or performed any work in respect of, your vessel during the period of the suspension of the permission which was granted to you to repair and take in supplies, pending your reply to my letter of yesterday's date, in regard to a British subject being on board your vessel, and having entered the service of the Confederate States in violation of the British statute known as the Foreign Enlistment Act, and of the instructions issued by the Governor for the maintenance of neutrality by Her Majesty's subjects.

"In addition to evidence previously in the possession of this Government, it has been reported by the police that about 10 o'clock last night, four men who had been in concealment on board the 'Shenandoah,' left the ship, and were arrested immediately after so leaving by the water police.

"It appears from the statements of these men, that they were on board your vessel both on Monday and Tuesday the 13th and 14th instant, when their presence was denied by the commanding officer in charge, and by yourself, when you declared that there were 'no persons on board this ship, except those whose names are on our shipping articles.'

"This assertion must necessarily have been made by you without having ascertained for yourself by a search that such men were not on board, while at the time you refused permission to the officer charged with the execution of the warrant to carry it into effect.

"Referring to that portion of your communication of the 14th instant, in which you inform his Excellency the Governor 'that the execution of the warrant was not refused, as no such person as the one therein specified was on board,' I am in a position to state that one of the four men previously alluded to is ascertained to be the person in the warrant. I am also to observe that while at the moment of the dispatch of your letter it may be true that these men were not on board the 'Shenandoah,' it is beyond question that they were on board at the time it was indited, your letter having been dispatched at five minutes before 10 o'clock.

"It thus appears plain, as a matter of fact, that the Foreign Enlistment Act was in course of being evaded.

"Nevertheless, as the only person for whose arrest a warrant was issued has been secured, and as you are now in a position to say as Commanding Officer of the ship and on behalf of your Government, whose faith is pledged by the assurance, that there are no persons on board this ship, except those whose names are on our shipping articles, and that no one has been enlisted in the service of the Confederate States since my arrival in this port, his Excellency the Governor has been pleased to revoke the directions issued yesterday, suspending permission to British subjects to aid and assist you in effecting the necessary repairs and taking in supplies.

"I am to add it is expected you will exercise every dispatch so as to insure your departure by the day named in your first letter of yesterday, viz., Sunday next.

(Signed) "Jas. G. Francis.

"J. J. Waddell, Esq.,
"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

To this Captain Waddell replied, next day by thanking his Excellency the Governor for his observance of the rights of belligerents, denying that the men arrested formed any part of his complement, but were stowaways, detected after a further search and at once ordered over the side, and declaring that in no way could he be accused of an evasion of the Foreign Enlistment Act. He ended thus, addressing Mr. Francis, "In conclusion, Sir, allow me to inform you that I consider the tone of your letter remarkably disrespectful and insulting to the Government I have the honour to represent, and that I shall take an early opportunity of forwarding it to the Richmond Government."

This closed the correspondence between Captain Waddell and the Government.

From the "Herald" of February 23, 1865.

Legislative Council.—Wednesday, February 22, 1865.

THE President took the chair at twelve minutes past 4 o'clock, and read the usual form of prayer.

The Seizure of the "Shenandoah."—Mr. Highett's Motion.

Mr. Highett, pursuant to notice, moved that an Address be presented to the Governor, praying that his Excellency would cause to be laid on the table of the House copies of any instructions received from the Home Government relative to the reception and treatment of ships of war of foreign nations visiting this port, more especially in relation to those of belligerent Powers. He said that the correspondence which had recently taken place between the Government and the Commander of the "Shenandoah" had caused great excitement in the public mind. The majority of the public were of opinion that it should have taken place between the Governor and the Commander of that vessel. His motion set that at rest.

Mr. Hull seconded the motion.

Mr. Hervey said that beyond what had been published any despatches were confidential, and his Excellency would, therefore, not give them up. Under these circumstances he hoped the honourable member would withdraw his motion.

Mr. Cole supported the motion.

Mr. Hull referred to the imbroglio that took place between Lieutenant Lowe, of the Confederate tender to the "Alabama," in Table Bay, and the Governor at that port, and stated that the correspondence was carried on entirely between Lieutenant Lowe, although he was only a lieutenant and commanding a tender, and the Governor.

Mr. Highett intimated that he would call for a division.

Mr. Hervey pointed out that there were certain despatches which the Governor was not entitled to lay before the House, and that in the present case they were of that nature. The Governor acted in accordance with those instructions.

Mr. Highett said that his motion was merely for the presentation of an address to the Governor, and it should be left to the Governor to say whether he would comply with it. His own impression was that the instructions were to correspond through the Ministry; but he wanted to see that it was so.

Mr. Strachan thought that any instructions sent ought to be laid before Parliament. It seemed very extraordinary that in an important matter, when the correspondence had been carried on by the Government and not by the Governor, that it could be withheld. The Government had not in his opinion come out with very flying colours in the matter. His opinion was that the Governor should have carried on the correspondence.

Mr. Fraser opposed the views of the last speaker, and thought the House ought not to press the matter. The Governor, through the Commissioner of Customs, had shown to the public at large what the instructions were, as would be seen from the correspondence. The Government had acted under instructions from the Governor. (Mr. Fawkner: "Who knows that?"). If the despatch was a private one, they should not insist upon having it.

Mr. Fawkner hoped that the honourable member would press it to a division. If the honourable member who had just sat down had seen all the correspondence and read it, he (Mr. Fawkner) had not.

Mr. Fraser said that he had read it in the public prints.

Mr. Fawkner said that a one-sided view was always taken by the public prints. He characterized the conduct of the Government in seizing the ship while on the slip as cowardly and most unmanly. It was, moreover, a ship of war. It was like the case of the "Florida." He maintained that the vessel was seized without rhyme or reason. It was quite possible that a few men were stowed away without the knowledge of the commander, and it had not been proved that the men had been employed, although they were charged with having enlisted. The Government had compromised itself with the people at large.

Mr. Fellows pointed out the double capacity of the Governor as a constitutional Sovereign and an Agent of the Home Government, and remarked upon the course taken by Sir Henry Barkly in laying upon the table certain papers, with the understanding that it was not conceded as a right, or to be considered as a precedent. If to the motion the Government returned the answer that it was inconvenient, as the papers were private and confidential, there was an end of the matter; but referring to the correspondence he thought a different construction was to be put upon it. He then quoted from the published correspondence to show, that as reference was not made expressly to the Governor, that the Government were understood to be authorized by the Imperial Government, and that therefore the instructions could be called for.

Mr. Hervey reminded the House that it was more an Imperial than a Colonial question. The Governor owed a duty to the Home Government, and if he had done anything wrong, it was his particular duty to justify his action to that Government. He only wished the Government could produce the letters, as they were not desirous of keeping them back. The matter would come before Parliament at home, and the justification would have to be made in the proper quarter.

Mr. Fellows suggested that the honourable member might say that it did not contain any instructions to the local Government.

The question was then put and agreed to on a division by 15 to 10.

Mr. Cole's Motion.

Mr. Cole moved that copies be furnished of all correspondence between the Government and the Commander of the "Shenandoah." He remarked that it was an important question, involving the neutrality of the port.

Mr. S. G. Henty seconded the motion.

Mr. Hervey said there was no correspondence between the Government and the Captain of the "Shenandoah." The correspondence was on behalf of the Governor, and written under his direction.

After some remarks from Mr. Hull,

Mr. Highett said: Do I understand there has been no correspondence between the Government and the "Shenandoah?"

Mr. Hervey: None.

Mr. Highett said there appeared to be, and urged that the House was entitled to that which had taken place between the Commissioner of Trade and Customs and the Commander of the "Shenandoah."

Mr. Mitchell asked whether the Commissioner of Customs held two positions, that of a Minister, and Secretary of the Governor?

Mr. Hervey said the Governor selected the proper officer to sign the correspondence.

Mr. Fellows: Who? His private Secretary?

Mr. Hervey: No. Any correspondence was by the order of his Excellency.

Mr. Mitchell: Then it did not take place between any member of the Government and the Captain of the "Shenandoah," but between the Secretary of the Governor and the Captain of the "Shenandoah."

Mr. Strachan: Did the Governor endorse all the Commissioner of Customs wrote?

Mr. Hervey: Yes.

Mr. Strachan: Then let us have it shown to be so.

Mr. Fellows: Under his hand and seal.

Mr. Strachan believed there were two letters, and would like to know whether the Government endorsed all that was written by Mr. Francis. He did not and could not believe it, and it would be only when it was produced to the House, endorsed by his Excellency, that he would believe it.

The question was then put and agreed to.

From the "Argus" of February 18, 1865.

1.

"To his Excellency Sir C. Darling, K.C.B., &c.

"*Confederate States steamer of war 'Shenandoah,'*
"*Port Phillip, January* 25, 1865.

"Sir,

"I HAVE the honour to announce to your Excellency the arrival of the Confederate States' steamer 'Shenandoah,' under my command, in Port Phillip, this afternoon, and also to communicate that the steamer's machinery requires repairs, and that I am in want of coals.

"I desire your Excellency to grant permission that I may make the necessary repairs, and obtain the supply of coals to enable me to get to sea as quickly as possible.

"I desire also your Excellency's permission to land my prisoners. I shall observe the neutrality."

"I have, &c.
(Signed) "James J. Waddell,
"*Lieutenant Commanding, Confederate States' Navy.*"

2.

"*Department of Trade and Customs,*
"*Melbourne, January* 26, 1865.

"Sir,

"I am directed by his Excellency Sir Charles Darling to acknowledge the receipt of your letter of the 25th instant, acquainting his Excellency with the arrival of the Confederate States' steamer 'Shenandoah,' under your command, at Port Phillip, and intimating that the machinery of the steamer requires repairs, and that you are in want of coals. In the communication under acknowledgment you request his Excellency to grant permission to make the necessary repairs, and to obtain a supply of coals, and further, to be allowed to land your prisoners.

"In reply, I have received the instructions of Sir Charles Darling (*sic*), to state that he is willing to allow the necessary repairs to the "Shenandoah,' and the coaling of the vessel to be at once proceeded with, and that the necessary directions have been given accordingly.

"I am at the same time to furnish, for your information, the accompanying extract of Orders issued by Her Majesty's Government, and publicly notified in the Government

'Gazette' of this colony on the 17th of March, and the 24th of April, 1862, with respect to armed vessels, whether belonging to the United States or the Confederate States of North America, with which it is requisite for you to comply. In conformity with the terms of the foregoing commands, I am to request that you will be good enough at your earliest convenience to intimate to me, for the information of his Excellency, the nature and extent of your requirements as regards repairs and supplies, in order that Sir Charles Darling (*sic*) may be enabled to judge of the time which it may be necessary for the vessel under your command to remain in this port.

"With reference to your request regarding certain prisoners, his Excellency desires to be furnished with a list of the prisoners in question, and any other information affecting them which you may be able to afford."

"I have, &c.

(Signed) "Jas. J. Francis,

"*Commissioner of Trade and Customs.*

"To the Lieutenant Commanding Confederate States' steamer of war
'Shenandoah,' Hobson's Bay."

(The following are the extracts indicated and inclosed:—)

"You are aware of the determination of Her Majesty's Government to maintain the strictest neutrality in the hostilities which are now being carrred on between the United and Confederate States of North America. In order to cause that neutrality to be effectually respected throughout the Queen's dominions, Her Majesty has directed (in accordance with a long-established European practice, that no ship of war, privateer, or other armed vessel belonging to either of the belligerents which shall anchor in any British port, shall be allowed to quit her anchorage within twenty-four hours after any vessel belonging to the adverse belligerent, whether armed or unarmed, shall have left the same port.

"In order to give effect to Her Majesty's orders, I am to desire that on the arrival of any such armed vessel in any port or roadstead within your Government, you will notify this rule to her commander, and will inform him that, in case he should infringe it, his Government will be held responsible by that of Great Britain for violating the neutrality of British waters."

3.

"To the Hon. the Commissioner of Trade and Customs.

"Sir, "*Confederate States' steamer 'Shenandoah,' January* 28, 1865.

"Upon the receipt of your communication of the 26th instant, in which permission was granted for the necessary repairs to the 'Shenandoah' to be proceeded with, I sent for and engaged the services of Messrs. Langlands Brothers and Co. to examine the propeller and bracings under water, and to undertake the repairs, which was agreed to by the firm, informing them of the importance of haste, and importance to me their report would be, as his Excellency desired to know the extent of injury done the vessel. I was promised a report, and have been asking each day for it, but none has been handed in yet, and as I conceived an idea that their report would be more satisfactory than any I could write for his Excellency's information, I have delayed, in accordance with the grace given me, 'at my earliest convenience,' to intimate to you the extent of damages. Every arrangement has been made for lifting the propeller clear of the ship, and a diver has examined the bracings under water to-day.

"From what I have seen of the propeller shaft and the verbal report of the diver on the bracings under water, I can state that the composition castings of the propeller shaft are entirely gone, and the bracings under water in the same condition.

"So soon as Messrs. Langland Brothers and Co. hand in their report, I shall inclose it to his Excellency. The other repairs are progressing rapidly. I fear the damages will prove more serious than I anticipated them to be at first.

"I have, &c.

(Signed) "Jas. J. Waddell,

"*Lieutenant Commanding, Confederate States' Navy.*"

4.

"Sir, "*Custom-House, Melbourne, January* 30, 1865.

I am directed by his Excellency the Governor to acknowledge the receipt of your letter of the 28th instant, and of your Memorandum of this day's date, endorsed on a letter addressed to you by Messrs. Langland Brothers and Co., a copy of which letter

with your subjoined Memorandum is returned herewith, and to inform you that it will be necessary that a list of the supplies required for the immediate use of your vessel, together with one of the prisoners, &c., as I suggested in my previous communication, should be sent in for the guidance of his Excellency before 4 P.M. on the 31st instant.

"I have it further in command to inform you that his Excellency has appointed a Board, consisting of Mr. Payne, Inspector and Secretary of the Steam Navigation Board, Mr. Elder, Superintendent of the Marine Yard at this place, and Mr. Wilson the Government Marine Engineer, to go on board the 'Shenandoah,' and to examine and report whether that vessel is now in a fit state to proceed to sea, or what repairs are necessary.

"I have, &c.
(Signed) "JAS. G. FRANCIS.

"J. J. Waddell, Esq.,
"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

5.

"Captain Waddell, Confederate war-steamer 'Shenandoah.'
"*Port Philip Foundry, Melbourne, January* 30, 1865.

"Sir,

"At your request we beg to report that it will be absolutely necessary to put the 'Shenandoah' on the Government slip, as, after inspection by the diver, he reports that the lining of outer sternback is entirely gone, and will have to be replaced.

"As to the time required (as three days will elapse before she is slipped), we will not be able to accomplish the repairs within ten days from date.

"Yours, &c.
(Signed) "LANGLAND BROS. AND CO."

"*Endorsement.*—Respectfully submitted to the Honourable Commissioners of Trades and Customs, with the request that it may be returned.
(Signed) "JAS. J. WADDELL, *Lieutenant Commanding.*
"*January* 30, 1865."

6.

"*Department of Trade and Customs, Melbourne,*
"*January* 31, 1865.

"Sir,

"By direction of his Excellency the Governor I have the honour to acknowledge the receipt this morning of your letter of yesterday's date, stating the supplies required for the officers and crew of the vessel under your command, and informing me that the prisoners alluded to in your previous communication have left the 'Shenandoah' without your knowledge, in shore boats, soon after your arrival.

"I am desired by Sir Charles Darling (*sic*) to state that permission is conceded for you to ship on board the 'Shenandoah,' in such quantities as may be reasonably necessary, the provisions and supplies enumerated in your communication under reply.

"I would therefore request that your purser, authorized in that behalf, will communicate with the Collector of Customs as to quantities and detailed particulars.

"I am again to request to be furnished with a list giving the number of and particulars (as far as possible) with respect to the prisoners who were brought to this port in the 'Shenandoah;' and I may add that the number in this instance is understood to be small, yet action in this case may form a precedent for future guidance should such a question again arrive, with perhaps a larger number of persons whom it may be desired to land in violation of municipal or other laws or regulations in force in this Colony.

"I have, &c.
(Signed) JAS. G. FRANCIS,
"*Commissioner of Trade and Customs.*

"J. J. Waddell, Esq.,
"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

7.

"To the Hon. Commissioner of Trade and Customs.
"*Confederate States' steamer 'Shenandoah,' February* 1, 1865.

"Sir,

"I have the honour to acknowledge the receipt of your communication of yesterday's date, and in reply to that portion which has reference to supplies, &c., directions have been given the Paymaster of the 'Shenandoah,'' in accordance with your views. I cheerfully furnish a list of those persons who were my prisoners on the 'high seas,' at

your request, for future guidance; and at the same time inform you that a list was furnished Mr. Mc Farlane, Chief Officer of Her Majesty's Customs for Williamstown, as far back as the 25th or the 26th ultimo in official form.

"Particulars connected with the prisoners brought into Port Philip are the following:—

"They were captured serving in the American bark 'Delphine,' which vessel I destroyed, and after reaching this port, left this vessel of their own free will without consulting the regulations in force in this colony, unmolested and unassisted, and not in any boat belonging to this vessel.

"I am extremely anxious to get the 'Shenandoah' to sea. The procrastination by the parties employed under his Excellency the Governor's permission for the necessary repairs to this ship seems to me unnecessary, and if I appeal to his Excellency the Governor for further instructions to those employed to hurry up the work on this ship, I hope his Excellency the Governor will see in it the spirit of a law-abiding man, and one anxious to be about his country's business.

"Yesterday the commission of officers appointed by his Excellency the Governor for the examination of this vessel came on board, but I was absent from the ship, not having been informed by the honourable Commissioner of Trade and Customs of the day set apart for that visit.

"I have, &c.
(Signed) Jas. J. Waddell,
"*Lieutenant Commanding, Confederate States' Navy.*"

8.

"*Department of Trade and Customs, Melbourne,*
"Sir, *February* 1, 1865.

"I am directed by his Excellency the Governor to acquaint you that he has received a progress report from the Board appointed to examine the 'Shenandoah,' and report whether that vessel is in a fit state to proceed to sea, or what repairs are necessary. From the tenor of this communication it is evidently necessary that your ship should be placed on the patent slip for further examination and repairs; and I presume you will proceed promptly with the necessary arrangements. For your information I may state that the slip, termed the Government patent slip in the communication to yourself from Messrs. Langlands, Brothers and Co., is not in possession of or under the control of the authorities. It was originally built by this Government, but for many years has been leased to various parties, and your arrangements must therefore be made with the present lessees.

"By inadvertence you have omitted to inclose the list of prisoners to which you make reference in your communication of this date.

"I have, &c.
(Signed) "Jas. G. Francis,
"*Commissioner of Trade and Customs.*

"J. J. Waddell, Esq.,
"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

9.

"To the Hon. the Commissioner of Trade and Customs.
"Sir, "*Confederate States' steamer 'Shenandoah,' February* 1, 1865.

"I have the honour to acknowledge receipt of your communication of this date's date, informing me of the character of the report made to his Excellency the Governor by the Board of examiners, also calling my attention to another list of prisoners which you desire. I cheerfully furnish this, the second list, and have, &c.

(Signed) "Jas. J. Waddell,
"*Lieutenant Commanding, Confederate States' Navy.*"

10.

"*Department of Trade and Customs, Melbourne,*
"Sir, *February* 7, 1865.

"I am instructed by his Excellency the Governor Sir Charles Darling to acquaint you that as the ship under your command, the 'Shenandoah,' has already been twelve days in our port with permission to lay in provisions or things necessary for the subsistence of her crew, and to effect the necessary repairs, it is desired by his Excellency that you should now name the day upon which you will be prepared to proceed to sea; and I

am further directed to inform you that after carefully considering the question of the position of Great Britain as strictly neutral in the present contest, the use of appliances, the property cannot be granted, nor any assistance rendered by it directly or indirectly towards effecting the repairs of the 'Shenandoah.'

"I have, &c.

(Signed) "JAS. G. FRANCIS,

"*Commissioner of Trade and Customs.*

"J. J. Waddell, Esq.,

"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

11.

"To the Hon. the Commissioner of Trade and Customs.

"Sir, "*Confederate States' steamer 'Shenandoah,' February* 7, 1865.

"I have the honour to acknowledge the receipt of your communication of this day's date, and in reply, for information desired for his Excellency the Governor, I have to write that I cannot name a day for proceeding to sea with this ship, until she is taken on the slip, when the injury can be perfectly ascertained and time estimated for its repair. The recent gales have prevented me from lightening the ship to the necessary draught preparatory to going on the slip, in which matter I have been guided by those who are in charge of the slip. I hope the weather will permit the engineer to take the 'Shenandoah' on the slip to-morrow morning.

"I am, &c.

(Signed) "JAS. J. WADDELL,

"*Lieutenant Commanding, Confederate States' Navy.*"

12.

"*Department of Trade and Customs, Melbourne,*

"Sir, *February* 14, 1865.

"Referring to my communication of the 7th instant, I am again directed by his Excellency Sir Charles Darling to inquire whether you are now in a position to state more definitely when the 'Shenandoah' will be in a position to proceed to sea; and if so, I shall be obliged by your informing me accordingly

"I have, &c.

(Signed) "JAS. G. FRANCIS,

"*Commissioner of Trade and Customs.*

"J. J. Waddell, Esq.,

"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

13.

"To the Hon. the Commissioners of Trades and Customs.

"Sir, "*Confederate States' steamer 'Shenandoah,' February* 14, 1865.

"I have the honour to acknowledge receipt of your communication of this day's date, and in reply have the pleasure to inform you, for his Excellency the Governor's information, that the Superintendent of the slip, and Messrs. Langland Brothers, and Co., inform me that the 'Shenandoah' will be ready for launching to-morrow morning, the 18th instant, at 4 o'clock A.M., and I think without some unforeseen accident, I shall proceed to sea in her by Sunday, the 19th instant. I have yet to take in all my stores, coals, and swing the ship.

"I have, &c.

(Signed) "JAS. J. WADDELL,

"*Lieutenant Commanding, Confederate States' Navy.*"

14.

"Sir, "*Custom-House, Melbourne, February* 14, 1865.

"I am directed by his Excellency the Governor to state that it has been reported to the Government that you have refused to allow the execution on board the 'Shenandoah' of a warrant issued upon sworn information according to law, alleging that a British subject is on board that vessel, who has entered the service of the Confederate States in violation of the British statute known as the Foreign Enlistment Act; that it is not consistent with the British law to accept any contrary declaration of facts, whatever respect be due to the person from which it proceeds as sufficient to justify the non-execution of such warrant; and that moreover it is conceived that this Government has a right to expect

that those who are receiving in our port the aid and assistance which they claim as a belligerent under the Queen's Proclamation should not in any way oppose proceedings intended to enforce the maintenance of neutrality.

"It will be apparent to you that the execution of the warrant is necessary, in order to enable the Government to bring to justice those upon whose depositions the warrant was issued, if the statements in those depositions should prove false in fact.

"In this view you are appealed to, to reconsider your determination, and pending further information from you, which you are requested to make with as little delay as possible, the permission granted you to repair and take in supplies is suspended, and Her Majesty's subjects have been duly warned accordingly.

"I have, &c.
(Signed) "Jas. G. Francis.

"J. J. Waddell, Esq.,
"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

15.

"Sir, "*Confederate States' steamer 'Shenandoah,' February* 14, 1865.

"I am in the receipt of your letter of this date, in which you inform me that you have been directed by his Excellency the Governor to state 'that it has been reported to the Government that I have refused to allow the execution on board the 'Shenandoah' of a warrant issued upon sworn information, according to law, alleging that a British subject is on board this vessel who has entered the service of the Confederate States, in violation of the British statute known as the Foreign Enlistment Act; and that it is not consistent with the British law to accept any contrary relation of facts, whatever respect be due to the person from whom it proceeds, as sufficient to justify the non-execution of such warrant.' I am then appealed to 'to reconsider my determination,' and the letter concludes by informing me that, 'pending a further intimation from me,' the permission granted to repair and take supplies is suspended.

"I have to inform his Excellency the Governor that the execution of the warrant was not refused, as no such person as the one therein specified was on board, but permission to 'search' this ship was refused. According to all the laws of nations, the deck of a vessel of war is considered to represent the majesty of the country whose flag she flies, and she is free from all executions except for crimes actually committed on shore, when a demand must be made for the delivery of such person, and the execution of the warrant performed by the police of the ship. Our shipping articles have been shown to the Superintendent of Police. All strangers have been sent out of the ship, and two commissioned officers were ordered to search if any such have been left on board. They have reported to me that, after making a thorough search, they can find no person on board except those who entered this port as part of the complement of men.

"I, therefore, as commander of the ship, representing my Government in British waters, have to inform his Excellency that there are no persons on board this ship except those whose names are on my shipping articles, and that no one has been enlisted in the service of the Confederate States since my arrival in this port, nor have I in any way violated the neutrality of the port.

"And I, in the name of the Government of the Confederate States of America, hereby enter my solemn protest against any obstruction which may cause the detention of this ship in this port.

"I have, &c.
(Signed) "Jas. J. Waddell,
"*Lieutenant Commanding, Confederate States' Navy.*

"To the Hon. Jas. G. Francis,
"Commissioner of Trade and Customs, Melbourne."

16.

"*Telegram from Mr. Standish, Chief Commissioner of Victorian Police, to Mr. Bearer, Police Inspector, stationed at Williamstown.*

"I have to direct that you communicate with Mr. Chambers, the lessee of the patent slip, that the Governor in Council has given directions that he and all other British subjects in this Colony at once desist from rendering any aid or assistance, or perform any work in respect to the said classed Confederate ship 'Shenandoah,' or in launching the same. You will at once proceed with the whole of the police at your disposal to the patent slip and prevent, at all risks, the launch of the said ship. Superintendent

Lyttleton and fifty men, also fifty of the military, proceed at once to Williamstown, telegraphing anything that may occur direct to me.

"*Tuesday, February* 14, 1865.

(Signed) "F. C. STANDISH."

17.

"To the Hon. the Commissioner of Trade and Customs.

"Sir, "*Confederate States' steamer 'Shenandoah,' February* 15, 1865.

"I am informed by the manager of the slip upon which the Confederate States' steamer 'Shenandoah' now rests that the slip has been seized by authority from his Excellency the Governor to prevent the launching of the Confederate States' steamer 'Shenandoah,' which of necessity is a seizure of the vessel under my command. I therefore respectfully beg to be informed if this seizure is known to his Excellency the Governor, and if it meets his approval.

"Very respectfully,

(Signed) "JAS. J. WADDELL,

"*Lieutenant Commanding, Confederate States' Navy.*"

18.

"*Custom-House, Melbourne, February* 15, 1865.

"Sir,

"In acknowledging your letters of yesterday's date, and also in reply to your communication of this morning, I am instructed by his Excellency the Governor to inform you that the lessee of the patent slip having reported that the safety of the ship 'Shenandoah' may be endangered by her present position on the slip, the suspension of permission to British subjects to assist in launching the ship is withdrawn, while the further matters referred to in your letters are under consideration, and will be replied to with as little delay as possible.

"I have, &c.

(Signed) "JAS. G. FRANCIS.

"J. J. Waddell, Esq.,

"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

19.

"*Custom-House, Melbourne, February* 15, 1865.

"Sir,

"I am directed by his Excellency the Governor to further acknowledge your communications of the 14th and 15th instant, in which, alleging that the vessel under your command had been seized, you ask whether the seizure is known to his Excellency the Governor, and if it meets his approval.

"I am to inform you in reply that this Government has not directed or authorized the seizure of the 'Shenandoah.'

"The instructions to the police were to see that none of Her Majesty's subjects in this colony rendered any aid or assistance to or performed any work in respect of your vessel during the period of the suspension of the permission which was granted to you to repair and take in supplies, pending your reply to my letter of yesterday's date in regard to a British subject being on board your vessel, and having entered the service of the Confederate States in violation of the British statute known as the Foreign Enlistment Act, and of the instructions issued by the Governor for the maintenance of neutrality by Her Majesty's subjects.

"In addition to evidence previously in possession of this Government, it has been reported by the police that about 10 o'clock last night four men, who had been in concealment on board the 'Shenandoah,' left the ship, and were arrested immediately after so leaving by the water police.

"It appears from the statements of these men that they were on board your vessel both on Monday and Tuesday the 13th and 14th instant, when their presence was denied by the commanding officer in charge, and by yourself subsequently, when you declared that there were 'no persons on board this ship except those whose names are on our shipping articles.' This assertion must necessarily have been made by you without having ascertained for yourself by a search that such men were not on board, while at the time you refused permission to the officer charged with the execution of the warrant to carry it into effect.

"Referring to that portion of your communication of the 14th instant, in which you inform his Excellency the Governor 'that the execution of the warrant was not refused,

as no such person as the one therein specified was on board,' I am in a positionto state that one of the four men previously alluded to is ascertained to be the person named in the warrant.

"I am also to observe that, while at the moment of the despatch of your letter it may be true that these men were not on board the 'Shenandoah,' it is beyond question that they were on board at the time it was indited, your letter having been despatched at five minutes before 10 o'clock.

"It thus appears plain, as a matter of fact, that the Foreign Enlistment Act was in course of being evaded.

"Nevertheless, as the only person for whose arrest a warrant was issued has been secured, and as you are now in a position to say, as 'commanding officer of the ship, and in behalf of your Government, whose faith is pledged by the assurance, that there are no persons on board this ship except those whose names are on our Shipping Articles, and that no one has been enlisted in the service of the Confederate States since my arrival in this port,' his Excellency the Governor has been pleased to revoke the directions issued yesterday, suspending permission to British subjects to aid and assist you in effecting the necessary repairs and taking in supplies.

"I am to add, it is expected you will exercise every dispatch, so as to ensure your departure by the day named in your first letter of yesterday, viz,, Sunday next.

"I have, &c.

(Signed) "Jas. G. Francis.

"J. J. Waddell, Esq.,

"Lieutenant Commanding, Confederate States' steamer 'Shenandoah.'"

20.

"To the Hon. the Commissioner of Trade and Customs.

"*Confederate States' steamer 'Shenandoah,' Hobson's Bay,*

"Sir, *February* 16, 1865.

"I am in receipt of your communication of yesterday's date, and desire to convey through you to his Excellency the Governor my appreciation and thanks for his observance of the rights of belligerents, and further to assure his Excellency the Governor that every dispatch is being made by me to get the "Shenandoah" to sea at the earliest possible moment.

"The four men alluded to in your communication are no part of this vessel's complement of men; they were detected on board by the ship's police after all strangers were reported out of the vessel, and they were ordered and seen out of the vessel by the ship's police immediately on their discovery, which was after my letter had been dispatched informing his Excellency the Governor that there were no such persons on board. These men were here without my knowledge, and I have no doubt can be properly called stowaways, and such they would have remained but for the vigilance of the ship's police, inasmuch as they were detected after the third search, but in no way can I be accused, in truth, of being cognisant of an evasion of the Foreign Enlistment Act.

"In conclusion, Sir, allow me to inform you that I consider the tone of your letter remarkably disrespectful and insulting to the Government I have the honour to represent, and that I shall take an early opportunity of forwarding it to the Richmond Government.

"Very respectfully,

(Signed) Jas. J. Waddell,

"*Lieutenant Commanding, Confederate States' Navy.*"

This closes the correspondence between Captain Waddell and the Government. But the following letter was despatched to Mr. Higinbotham:—

21.

"To the Hon. the Attorney-General.

"*Confederate States' steamer 'Shenandoah,' Hobson's Bay,*

"Sir, *February* 14, 1865.

"Be pleased to inform me if the Crown claims the sea to be British waters three miles from the Port Phillip Head lights, or from a straight line drawn from Point Lonsdale and Schanck."

I have, &c.

(Signed) "Jas. J. Waddell,

"*Lieutenant Commanding, Confederate States' Navy.*"

Captain Waddell states that a reply written and signed by a clerk, was brought to him by a messenger, of whom he knew nothing, till a gentleman on board explained who he was. The document simply stated that no reasons for the communication of the information had been given. Captain Waddell handed the "reply" back to the messenger with the simple answer that it was not what he wanted, and that it had better be taken back with his compliments.

From the "Age" of February 16, 1865.

In the Legislative Council yesterday, the President being absent through illness, Dr. Wilkie, the Chairman of Committees, took the chair at a quarter past 4 o'clock.

Mr. Fellows asked the Commissioner of Public Works, without notice, what steps had been taken by the Government with reference to an attempt to execute a magistrate's warrant on board the "Shenandoah."

Mr. Hervey explained that a warrant had been granted upon information of certain persons having been shipped on board the "Shenandoah" contrary to the laws of neutrality, and that a police officer had been despatched with the warrant to search the ship. He was denied permission to execute the warrant, and the Government determined to suspend the privileges which had been granted to the commander of the "Shenandoah" on his entering the port. Four persons who had been shipped in contravention of the neutrality laws had been captured by the police in attempting to escape, and were now in custody. The commander of the "Shenandoah" having stated, upon his honour as an officer and a gentleman, that, the ship having been cleared of strangers, there was now no person on board who was not there when the ship entered the port, the Government had granted a resumption of the privileges they had suspended, upon leave being refused to search the ship.

On the motion of *Mr. Fraser*, twelve months leave of absence from the 1st of March was granted to the Hon. T. T. A' Beckett. The Land Act Amendment Bill was further considered in Committee, *Mr. James Henry* acting as Chairman. The Bill was reported to the House, and the adoption of the report made on order of the day for Tuesday next. The House adjourned at seven minutes past 5 o'clock, until Tuesday the 21st instant.

PARLIAMENT OF VICTORIA.—LEGISLATIVE COUNCIL.

Wednesday, February 15, 1865.

The clerk annnounced at a quarter past 4 o'clock that he had received a note from the President to the effect that he was prevented by illness from attending the sittings of the Council that afternoon.

Dr. Wilkie, the Chairman of Committees, accordingly took the President's chair, and read the usual form of prayer.

THE SEIZURE OF THE "SHENANDOAH."

Mr. Fellows rose to ask the Commissioner of Public Works, without notice, whether the Government had received any information with reference to an attempt to execute a magistrate's warrant on board the "Shenandoah," now on the patent slip at Williamstown, and if so, what steps they had taken in the matter. He apprehended, as far as the law of the matter went, that if any foreign merchant-vessel visited these ports, she owed a temporary allegiance to the laws of this country, and was subject of course to the jurisdiction of the Colonial Courts. An implied consent was given to a ship of war or armed vessel belonging to another country to enter these ports, and there was also an implied consent on the part of the Power giving permission to enter the port, that a vessel of that character should not be subject to any jurisdiction of the Courts of that Power. This being the case, he wished to know what action the Government had taken in the matter. He might remind the honourable member with reference to the protection foreign vessels were entitled to claim, that it had been decided in the Court of Admiralty that a merchant-vessel leaving a country and returning under commission from a foreign Power, and being brought before the Court by her former owners, the latter were not in a position to recover, because the ship was owned by a foreign Power.

Mr. Hervey wished to know if he was desired to answer the whole question at once without notice.

Mr. Fellows: Merely whether the Government have taken any steps to execute the warrant.

Mr. Hervey then stated that the Government had received notification of an infor-

mation having been laid before the police bench at Williamstown to the effect that a certain individual had been shipped on board the "Shenandoah" contrary to the neutrality laws of this country in regard to the Confederate and Federal States of America. The commander of the "Shenandoah" on entering these waters had sought the protection of the Colonial Government, and certain facilities for repairs and obtaining of supplies, such as a neutral Power was justified in giving, had been granted at his request. He was informed that it was the intention of the Government to observe strict neutrality, and he gave that pledge which would be expected from any person in his position that he would strictly observe the laws of neutrality. Complaints, however, were made of a number of British seamen having joined the ship since she entered these waters, and proceedings were taken upon several depositions which had been made with regard to British subjects being on board the vessel. An officer of the police was sent with a warrant on Monday to arrest a man sworn to be in the ship. The commander of the vessel was not on board at the time, and the chief officer declined to permit the warrant to be executed until the captain returned. On Tuesday the same officer of police was despatched with a warrant, and the captain refused to allow it to be enforced. In all similar cases when a warrant was sent on board a foreign vessel, it was usual for the authority to be recognized, and if the officer of police in whose possession it was was not asked to exercise it, it was executed by the police of the vessel, there being ship-police on every vessel of war. In this case there was a positive refusal to permit the warrant to be executed at all. Numerous affidavits having been made that many persons had been induced to ship on board the "Shenandoah," the Government determined to suspend the privileges granted to the commander on condition of his observing the neutral laws, and in order that this direction should be properly carried out without violence, a body of police was sent down to Williamstown to see that none of Her Majesty's subjects infringed the order which had been issued on the subject. A communication was sent to the commander explaining to him the circumstances under which the privileges previously granted him had been suspended. The police, under instructions to carry out the order, remained near the vessel all night, and about 10 o'clock they observed several persons attempting to escape from the "Shenandoah" by means of a swift waterman's boat. The water-police pursued and captured the boat, which contained four persons, who proved in each instance to be men who had joined the "Shenandoah" since her arrival in these waters. Three were British subjects and one was not, but still it was necessary that the fourth individual should have obtained permission before shipping. A letter the captain of the "Shenandoah" wrote in answer to the communication of the Government distinctly stated that when the officer of police visited his ship he had no individual on board who was not there when the vessel entered Victorian waters, but it was now known that several men who shipped in Hobson's Bay had escaped in addition to the four who were captured. The captain of the "Shenandoah" then wrote to say that, having cleared the ship of strangers, he was enabled to say on his honour as an officer and a gentleman, that there was no person on board (as he had ascertained by the inspection of two commissioned officers appointed for the purpose) who was not there when the vessel came into port. Upon this statement, made on the strength of the ship having been cleared of strangers, the Government had to-day authorized the resumption of the privileges formerly granted to the commander of the "Shenandoah," reserving to itself, however, the decision upon certain points which would all be made public when the measures which would be passed on the subject were brought forward.

Mr. Hull asked if the violation of the laws of neutrality would be followed up by any further proceedings.

Mr. Hervey replied that the men in custody were to be brought before the Williamstown bench on the following morning.

Mr. Fellows: Under what authority was the permission for carrying out repairs suspended?

Mr. Hervey: Upon the authority of the representative of Her Majesty, of course.

From the same Paper.

THE "SHENANDOAH."—Mr. Mc Culloch, in reply to a question by Mr. O'Shanassy, made a lengthened statement, which will be found in another column, as to the steps that had been taken by the Government with respect to the "Shenandoah."

In reply to Mr. O'Shanassy, Mr. Mc Culloch stated that it would be unadvisable to lay on the table of the house the correspondence between the Government and the Commander of the Confederate war-ship "Shenandoah" at the present time. He, however, explained the action taken by the Government relative to the breach of the Foreign Enlistment Act said to have been committed.

From the "Herald" of February 2, 1865.

A large crowd assembled in front of the Theatre Royal last night, in expectation of seeing the officers of the "Shenandoah," who, according to the bills, were to patronise the performances. However, following the dictates of good taste, the Confederate officers arrived at the theatre singly, and thus avoided the chance of a popular demonstration. There was no attempt on the part of the audience inside to exhibit their sympathies pro or con.; and the dramatic and other entertainments on the stage were sufficiently attractive to absorb their attention throughout the night.

From the same Paper.

LEGISLATIVE ASSEMBLY.—Wednesday, February 1, 1865.

The Speaker took the chair at half-past 4 o'clock.

THE POLICE FORCE.

Mr. Mc Culloch, in reply to Mr. Crews, stated it was the intention of the Government to introduce a Bill to amend the law relating to the police force, and also to provide for an allowance for members retiring therefrom.

THE CONFEDERATE SHIP "SHENANDOAH."

Mr. Berry called the attention of the Honourable the Chief Secretary to the infringement of the Neutrality Proclamation by a vessel styled the "Shenandoah," now in Hobson's Bay, and asked whether the Government intended to take steps to confiscate the vessel, and to punish the officers for a misdemeanour, in accordance with the provisions of the said Proclamation. He thought that it could not be denied that unmistakable evidence existed that this vessel was the "Sea King," which cleared out from London for Bombay with a cargo of coals. In a Manchester paper of the 19th of November there was an article alluding to the "Shenandoah" as the "Sea King," and containing a statement from the persons who went out in her. He had also seen a deposition made by one of the prisoners since the arrival of the vessel in the Bay, from which it appeared that there was no mistake as to the former name of the vessel. Under the Queen's Proclamation, if this vessel had returned to an English port after destroying vessels at sea, without touching at any Confederate port, she would have been seized, and he saw no difference because this country was a little further off. There was abundance of evidence forthcoming for the facts to be placed prominently and unmistakeably before the Government.

Mr. Mc Culloch, in reply to the honourable member, stated that the question was a most important one, and must be dealt with in a most cautious manner. A statement had been made that the vessel was the "Sea King," but there was no proof of that beyond a mere newspaper report which had been quoted by the honourable member. No proof had been brought forward by the honourable member at all, and even if such had been the case, it was questionable whether the Government could deal with the ship as a pirate. (Hear, hear.) The Government had given great attention to this question, and in addition to having the Proclamation before them, they were also in receipt of confidential despatches from the Home Government, in which a case of a similar description was mentioned. The Government having this information before them, and having well weighed the matter, would not feel justified in treating this vessel as a pirate. (Hear, hear.) While the terms of the Neutrality Proclamation would be strictly adhered to, the vessel would be allowed to take in provisions for the proper maintenance of the crew, and effect the necessary repairs. But the Government could not do anything further in the matter. (Hear, hear.)

Mr. Berry wished to read the deposition of a lady prisoner. (No, no.)

Mr. Higinbotham objected. If the honourable Member had any information to give, this was not the place to furnish it; besides which, it was only an *ex parte* statement.

Mr. O'Shanassy agreed that the British Government was the proper authority to deal with this subject, and reminded the House that nothing more had been done with the "Shenandoah" than had been done by the neutral Powers of Europe in the case of other Confederate vessels.

Mr. Lalor was under the impression that the Governor, as the Representative of Her Majesty, had the power to deal with foreign vessels.

The subject then dropped.

In the Legislative Assembly yesterday, *Mr. Berry* called attention to the presence of the Confederate ship "Shenandoah" in Hobson's Bay, and asked whether, as an infringement of the Neutrality Law had clearly taken place, the Government intended to take any steps towards the confiscation of the vessel.

Mr. McCulloch, in reply, stated that the honourable Member had offered no proof of any infringement. In addition to the Queen's Proclamation to guide them, the Government had received private despatches from home which had reference to a similar case. While the Neutrality Law would be strictly adhered to, the "Shenandoah" would be permitted to remain in Hobson's Bay until the necessary repairs had been effected, and the captain had taken in the coals and provisions which were absolutely required.

This statement was received with cheers from all sides of the House.

In the Legislative Assembly, yesterday, the Speaker took the chair at half-past 4 o'clock.

A petition was presented from the miners, storekeepers, and others resident in Raywood, in favour of the Tariff.

In reply to *Mr. Crews*, *Mr. McCulloch* stated that it was the intention of the Government to bring in a bill to amend the law relating to the police force, and that the 24th clause of the present Act had been repealed.

Mr. Berry asked Mr. M'Culloch whether the Government intended to take any action with regard to the ship "Shenandoah," now at anchor in Hobson's Bay, which ship, he stated, was the "Sea King," reported to have been wrecked, but now sailing under another name. This statement he proposed to prove by means of a letter received by him from a lady, which showed this to be the identical vessel. He asked, further, whether it was intended to confiscate the "Shenandoah," and to punish her officers for a misdemeanour in accordance with the provisions of the Neutrality Proclamation.

Mr. McCulloch stated the Government had had the matter under their consideration, and, besides having the Neutrality Proclamation before them, had also had a private despatch from the Imperial Government, stating what had been done in a similar case, and that it had been found that they could not treat the "Shenandoah" as a pirate, and had not the power to interfere, but were bound to allow her to provision and to effect such necessary repairs as were required to render her seaworthy.

From the "Age" of February 2, 1865.

THE "SHENANDOAH."—*Mr. Berry* called the attention of the honourable the Chief Secretary to the infringement of the Neutrality Proclamation by a vessel styled the "Shenandoah," now in Hobson's Bay, and asked whether the Government intended to take steps to confiscate the vessel and to punish the officers for a misdemeanour, in accordance with the provisions of the said Proclamation. In doing so, he remarked that the action of the Government or of the people of this colony in respect to a vessel of the kind referred to might lead to complications between the mother country and the country with which she was in friendly relations. He did not wish to interfere in any way as between the belligerents, but he looked at the matter solely from an English point of view; and looking at it in that light, he considered that the Neutrality Proclamation has been invaded.

The *Speaker* informed the honourable member that in asking a question, he was not allowed to state his opinions, but must confine himself to a statement of facts.

Mr. Berry said he believed it would not be denied that the evidence was quite clear that the vessel now in the bay was the "Sea King." (A voice: No.) An honourable member said there was no evidence. Now, he maintained that there was abundance of evidence. The "Sea King" with a cargo of coals sailed from London for Bombay on the 8th of October last. All that had been heard of that vessel since, that he was aware of, was by a report in an English paper that reached this colony some time back, and in a letter in a Manchester paper, written by one of the men who left London in the "Sea King," and returned home. In that letter it was stated that the Confederate cruizer "Shenandoah" was the "Sea King," and that the men who formed her crew went out in the "Laurel." During the last few days since the vessel was in port, it was a matter of common report, and had been stated in the newspapers, that she was the "Sea King." But he had had placed before him stronger evidence. He had seen the depositions of one of the prisoners, who said that during the passage the captain and officers stated that the vessel was the "Sea King," and that the chief officer went out in her from London, while the captain went in the "Laurel," in which vessel the armament for the "Shenandoah" was conveyed out to Madeira packed in boxes. That being the case, and as the vessel had never been in a port in any other country, she would, had she

returned to a British port, have been seized and condemned. He maintained that there was no difference in respect to the way she should be dealt with, because she had arrived in a distant port. The Government of the colony was as much bound to carry out the neutrality laws here as they would be within the bounds of the mother country. He thought there was sufficient evidence to demand that an inquiry should be made as to how a British vessel clearing out from a British port had entered on the piratical course of destroying vessels at sea, many of which were loaded with English cargo owned by English merchants. The second section of the Proclamation to which he had referred, stated that not only was it a misdemeanour to fit out, arm, and send a vessel to sea, but also that the vessel should be liable to confiscation by any officer of competent jurisdiction in Her Majesty's dominions. If this vessel was proved to be the "Sea King," and he held there was abundant evidence that she was, she ought to be confiscated, leaving out of the question altogether the parties who might be indictable for a misdemeanour. His only object in calling the attention of the Chief Secretary to this matter was, that the facts might be brought prominently and unmistakeably under the notice of the Government, who, he took it, were as strictly anxious to enforce the spirit of the Proclamation as the Home Government could be. At the commencement of the war there was considerable looseness in the conduct of the Home Government, but there had been no looseness lately. The honourable the Chief Secretary would bear in mind that the "rams," fitted out by Mr. Laird, were seized by the Government; and that, as they were informed by the last mail, a number of persons were seized in Liverpool under the first clause of the Proclamation which was directed to the prevention of enlistment. That showed that the British Government were now strictly enforcing the provisions of the Neutrality Proclamation, and that should be an additional reason for attention being given to it here. He believed that, for all the vessels that had been destroyed by the "Shenandoah," the Federal Government would, at some future time, claim compensation. That vessel, so far as they could judge, had no authority from the Confederate Government to act as she was doing. If this vessel was the "Sea King," and if she sailed on a voyage to Bombay, and was seized against the will of her owners and converted into a pirate, she ought to be taken possession of for the owner; and if she was so converted with the consent of the owners, then she ought to be confiscated under the second clause of the Neutrality Proclamation. At any rate, he thought there was abundant evidence to require a scrutiny to be made as to this vessel.

Mr. McCulloch admitted that this was a most important question, and one that ought to be dealt with in a very cautious manner. He thought that, under all the circumstances, it would not be well for this Legislature to enter on a discussion of the various matters that would be brought forward, and the allegations affecting this vessel, as those might be made the subject of inquiry by the Imperial Parliament. (Cheers.) It was said by the honourable member for Collingwood that this vessel was the "Sea King." But what proof was there of that? (Cheers.) All the evidence they had was a newspaper report and a letter in a Manchester paper. The honourable member had not brought forward any other evidence than that, Still he said there was proof. It was said there were the letters "ING" on her side, which led to the belief that she was the "Sea King." But was that proof? (Cheers.) Although, however, there was proof that this vessel was the "Sea King," he questioned whether this Government could deal with this ship as a pirate. (Cheers.) During the last week the Government had given a considerable amount of attention to this question, desiring to carry out strictly the rules with reference to such vessels; and with that view they had had under consideration, not only the Neutrality Proclamation, but also despatches from the Imperial Government regarding such cases. They had also had brought before them a case exactly similar to the case of this vessel. All the circumstances were exactly similar to those of this case. The Government having considered this case, and well weighed it, had come to the conclusion that they would not be justified in treating this vessel as a pirate; but they would insist upon strict neutrality being observed, and the vessel would only be allowed to remain in port so long as was necessary for her to take in what was necessary for the support of her crew, and to have such repairs effected as were required to enable her again safely to go to sea. (Cheers.) The Government felt they could not go any further in this matter. (Cheers.)

Mr. Berry stated that, as the honourable the Chief Secretary had denied that there was sufficient proof that this was the "Sea King," he would like to make the matter complete by reading a deposition that was made that day in his presence, by one of the prisoners she brought here.

Mr. Higinbotham said he must object to the course taken by the honourable member. (Cheers.) If the honourable member had evidence, he could submit to the Government,

that was not the proper place to bring it forward. (Cheers.) He would beg leave to suggest that the honourable member should not read documents in the House that ought to be laid only before the Government.

Mr. O'Shanassy thought that the Colonial Government was not the proper authority to deal with this matter. He concurred in what had been stated by the honourable the Attorney-General, that *ex parte* statements, taken by any party, should not be read in that House. They ought to deal with the utmost impartiality in this matter, which was the best way to secure the countenance, so far as they could, of the friendly relations between the mother country and the Federal Government. The "Alabama," when she visited Cherbourg, was allowed to remain there for some time, and get supplies and repairs; and the "Florida" was allowed to lie in the port of Brest for three or four months. They could not do better, in his opinion, than follow the example of a nation that had had so much experience in those matters. He thought the honourable member might well now let the matter drop.

Mr. Lalor considered that it was wrong to discuss the matter in that House at all. His Excellency, he considered, alone had full power to deal with the matter. It was wrong to bring the mattter forward here and compel persons to take different sides. If the honourable member were to do so, he ought to give notice of motion, so that the question might be fairly discussed.

The subject then dropped.

From the "Argus" of February 2, 1865.

A discussion arising out of the presence in Victorian waters of the Confederate war-steamer "Shenandoah" took place in the Legislative Assembly yesterday. Mr. Berry, who initiated the discussion, called attention to the Queen's Proclamation of May 1861, declaring that the arming and sending out of vessels, with the view of handing them over, by sale or otherwise, to a belligerent was a misdemeanour, and that the vessel was liable to confiscation by any officer having competent jurisdiction in any port of Her Majesty's dominions. There was abundant evidence (said Mr. Berry) that the vessel now in Hobson's Bay was the "Sea King," which cleared from London about the 8th of October for Bombay with a cargo of coals, and that she had destroyed vessels at sea. some of them being loaded with cargo belonging to British subjects. He held that there should be as great an observance of neutrality laws here as in any other other part of the British Empire, and he begged to ask whether the Government intended to take steps to confiscate the "Shenandoah," and to punish the officers for a misdemeanour.

The *Chief Secretary* observed that, beyond reports and rumours, there was no proof that the Confederate vessel was formerly the "Sea King." At the same time the Government were fully alive to the importance of the subject. During the last week they had given considerable attention to the question, and they had arrived at the conclusion that on the information before them they would not be justified in treating the "Shenandoah" as a pirate. It would, however, be the duty of the Government to see that strict neutrality was maintained, and with that view the vessel would be allowed to remain in port only so long as would be actually necessary for victualling and repairs.

Wednesday, February 1, 1865.

The *Speaker* took the chair at half-past 4 o'clock.

Papers.

Mr. Francis laid on the table copies of the papers and correspondence relative to the branch railway at Echuca.

Petitions.

Petitions were presented by Mr. Riddell from the inhabitants of Essedon and its neighbourhood, praying the Government to purchase and re-open the Melbourne and Essendon Railway: and by Mr. Easey from the inhabitants of Raywood, in favour of the new Tariff.

Notice of Motion.

Mr. Harker gave notice that next day he would move the House into Committee of the whole for the purpose of considering the following resolutions: "That it is necessary for the satisfactory representation of the people in this House, that members be compensated for their attendance;" "that in the opinion of this Committee such

compensation should be the sum of per annum;" "and that an address be presented to his Excellency the Governor, requesting that he will cause a sum to be placed on the estimates for the above purpose."

The Police Force.

Mr. Crews asked the honourable the Chief Secretary if it was the intention of the Government to bring in a bill to amend the law relating to the police force; if provision would be made for members retiring therefrom; and if the 24th clause of the present Police Act was carried out in cases where members of the police force had retired from the service.

Mr. M'Culloch said the Government intended to introduce such a bill so soon as the Tariff was disposed of. In that measure retiring allowances would be provided for. The 24th clause alluded to had been repealed some years since.

The Confederate war steamer "Shenandoah."

Mr. Berry, in rising to call the attention of the Government to this subject, would briefly state the object he had in view. That object was simply that no act of the Government or people of this Colony should tend to complicate the relations of the mother-country with a friendly nation. He did not wish to enter into the question of the rights of either of the two belligerents at all, but only to deal with the question from an English point of view (Oh, oh!) and to see whether the Proclamation made by Her Majesty in 1861 had not been grossly violated in the matter of a vessel now lying in Hobson's Bay.

The *Speaker* called the honourable member to order. In putting a question no honourable member was allowed to state an opinion or to go beyond the mere facts of the case. (Hear, hear.) Otherwise there was no knowing what discussion might not ensue.

Mr. Berry intended strictly to confine himself to a mere statement of facts. He believed it would not be denied that evidence existed in this city that clearly and unmistakably showed the real name of this vessel to be the "Sea King," because on that fact he founded nearly the whole of his remarks. (An honourable member, "There is no such evidence.") Mr. Berry continued to say that the "Sea King" was a vessel which sailed from London about the 8th October last, bound for Bombay with a cargo of coals, and all that was heard of her since, that he was aware of, was a report which reached this country, in an English paper, some time back. He had found it in a Manchester paper of 19th November last, which alluded to her under the title of the Confederate cruizer "Shenandoah," late "Sea King." The paper stated, "We received a letter yesterday from part of the crew of the 'Sea King,' who returned to England in the African steamer 'Calabar.' The men state that the 'Sea King' is now called the 'Shenandoah.' So the paper went on to allude to the men who came back after having gone out in the "Laurel," and this was an important part of the facts of the case.

In addition to that, he believed that within the last few days, since this vessel had arrived in Hobson's Bay, it had become a matter of public report, never denied, and stated in the public newspapers, that she was without doubt the "Sea King." Besides he had had placed personally before him still stronger evidence that such was the case. He had seen the depositions of prisoners taken out of different vessels, who stated that it was openly admitted on board, both by the captain and officers, that the original name of this particular vessel was the "Sea King."

In fact, the first lieutenant of the "Shenandoah" came out in the "Sea King," while the captain and the rest of the officers came out in the "Laurel," and then joined the first vessel at the Island of Madeira. The armament of the "Sea King" was, it seemed, brought out by the "Laurel," packed in boxes, and so put on board.

The position he took up was that, under the Proclamation of neutrality by Her Majesty, had the "Shenandoah" returned to any English port after having destroyed other vessels, she would have been instantly seized and condemned, and he could see no reason why, because she had gone a much greater distance, and arrived at a Colony of the British Empire, that she should be treated differently. The Colony was a part of the British Empire, and the Government were bound to carry out the neutrality laws as if we were within the bounds of the mother-country herself. It was not necessary to state any further facts on this part of her case. At all events sufficient evidence had been given to cause inquiry as to how it was that a British vessel, sailing for a peaceful voyage to Bombay, and having, subsequently gone into another port, suddenly appeared in another part of the British Empire after having destroyed many vessels at sea, some of them

loaded with English cargo and owned by Englishmen. If that were the case, it would not be necessary for him to read any portion of the Proclamation, on the strength of which he had now spoken. It was no donbt well known to the Government that by the second section, it was not only made a misdemeanour to arm or fit out such vessels, but also to send ships out to sea with a view of handing them over by sale, or otherwise, to either of the belligerents. Such persons were not only made subject to punishment, but their ships were liable to confiscation by any officer having competent jurisdiction within the British dominions. He had stated the fact without reference to individuals. If this vessel were proved to be the "Sea King," and there was abundant evidence for the Government she was, he wished to inquire why the confiscation of the vessel was not carried out under the Neutrality Proclamation, leaving out of the question who were the parties, or their representatives, indictable for misdemeanour. He doubted if he need go further. The only object he could possibly have was, that the facts should be prominently and unmistakeably brought under the notice of the Government.

He took it that they would be anxious to enforce the spirit of this Proclamation the same as at home (Mr. Francis, "Hear, hear").

He would, however, point out that whatever might have been the looseness of construction of this Proclamation in the earlier stages of the war, there was no such looseness on the part of the English Government now. The honourable Chief Secretary would bear in mind that the rams fitted out in Laird's yards were stopped by the British Government; and, on the other side, the last mail brought news that certain passengers and emigrants from Liverpool to North America were also stopped under the first clause of this Proclamation, which prevented enlistment for either of the belligerents.

The fact of the British Government enforcing this Proclamation so strictly, supplied important additional reasons why every attention and care should be given to the subject. It must be within the knowledge and memory of the honourable Chief Secretary that all the vessels destroyed on such a cruize as that of the vessel now in Hobson's Bay would at some future time be claimed by the American Government from the British Government. Here was this vessel. She had touched at no port, and no one could tell whether or not she had authority from the Confederate Government, because there was no authority here to test the validity of a Confederate Commission. It must be clear to any mind that the parties in possession of this vessel were on the horns of a dilemma. If she were the "Sea King"——

The Speaker. The honourable member is not in order.

Mr. Berry would only say that if she were the "Sea King" on her voyage to Bombay, as the declaration stated, she might have been seized against the will of her owners, and so converted into a pirate. If so, she was subject to be dealt with as having been taken against the will of her owners. If she could not be dealt with as a pirate, the owners were on the other horn of the dilemma, insomuch as she had committed a breach of the 2nd clause of the Proclamation to which he had alluded, and should be on that ground confiscated by the Government. Having brought this matter forward he should conclude by saying he was quite sure there was abundance of evidence to prove that the vessel in question was the "Sea King," and ask the honourable Chief Secretary, pursuant to notice, whether the Government intended to take steps to confiscate this vessel and to punish the officers for a misdemeanour, in accordance with the provisions of the Proclamation alluded to.

Mr. McCulloch, in reply, had no hesitation in saying that this question was a most important one, aud should be dealt with in a most cautious manner (hear, hear). Under all the circumstances of the case, it would be well if at this present time the House did not go as fully into the discussion of the various matters and alleged facts respecting this ship as would be required in the Imperial Parliament. The honourable member had stated that this vessel was the "Sea King," but what proof had he? (cries of Hear, hear, from all parts of the House). There were the newspaper reports, and a letter addressed to a newspaper in Manchester, that the "Shenandoah" was the "Sea King," but the honourable member had not brought forward one single particle of proof to substantiate anything that went beyond that (hear, hear). He said reports were going abroad in this city, and he (Mr. Mc Culloch) had heard it stated that the remains of the "Sea King" were to be seen on the sides of the ship; but was that any evidence of the transfer which it was said had taken place? (Hear, hear.) And even if such were the case, it was a question if the Government could deal with the ship as a pirate. (Hear, hear, and cheers.) The Government had done a great deal in discussing this question. For the last week they had given a considerable amount of attention to it, desiring to observe as strictly as possible the rules laid down for the guidance of this and all other Colonial Governments.

In dealing with this vessel they had not only to consider the terms of the Proclamation referred to, but also the confidential instructions from the Home Government; and, moreover, they had had brought before them the case of a vessel in exactly the same position as the "Shenandoah." All the circemstances which occurred with regard to this other vessel were in the possession of the Government, and would be weighed in connection with the present matter; but he believed the Government would not be at all justified in treating this vessel as a pirate. (Cheers.) While insisting as a matter of course that strict neutrality should be maintained as far as possible, he would observe that this vessel had only been allowed to remain in port so long as was necessary for taking on board the supplies necessary for the support of her crew, and to complete repairs which were necessary to allow the ship to go to sea. Beyond this the Government would not move in the matter. (Hear, hear, and cheers.)

Mr. Berry, before the discussion closed, wished to say that he had omitted a good deal of what might be brought forward, being in expectation that his statement would not have been denied. He would like, to make his case complete, to read, for the information of the Chief Secretary, a deposition given in his presence that day by one of the passengers, a lady, taken by this vessel. (Cries of "Order," and "No, no.") If the matter was of the importance stated, any information given to the Government ought to be freely availed of by them. It was only a short deposition, and would not to take long to read.

Mr. Higinbotham objected to the course now taken. This was not the proper place or time (cheers) for the honourable member to read a document which might perhaps provoke discussion as to its value and effect. If it was considered at all, it should be considered by the Government in private.

Mr. O'Shanassy wished, on the point of order, to speak to the statement made, that this vessel was taken by force at sea, and against the consent of the owners.

Mr. Berry: I did not say so.

Mr. O'Shanassy would, however, point out that in that case the owners would have applied to the British Government, who were the proper authorities, and not the Colonial Government. If this vessel was not taken by force, but sold, then the charge of piracy fell to the ground. He (Mr. O'Shanassy) concurred in what had fallen from the honourable Attorney-General, that an *ex parte* statement ought not to be received in that House. It was only fair to all parties that no favour should be shown either on one side or the other. What did the French Government do in respect to the "Alabama?" They gave her permission several times to refit, and the "Florida" remained in one of her ports for months. Why then should this Colony refuse to do to a vessel which came here, that which other Powers were willing to do, and this with experience to guide them? The honourable member might as well have let this matter alone. (Cheers from all parts of the House.)

Mr. Lalor said it struck him that the House was wrong to discuss the matter. His Excellency the Governor was the Representative of Her Majesty, and he alone had full powers to deal with this matter. (Hear. hear.) He (Mr. Lalor) did not know the law of the case, but believed that the Governor alone could deal with a vessel belonging to a foreign Power. He protested against a discussion which was unfair to all parties, and might compel honourable members to take sides. He hoped the matter would not be pressed further, unless full notice were given, and then both sides could be heard. At the same time, he might mention that he took a view altogether opposed to that of the honourable Member for Collingwood. (Cheers.)

The matter then dropped.

From the "Age" of January 27, 1865.

The "Shenandoah" is a clipper-built screw steamer of 709 tons, exclusive of the space occupied by the engines, and of about 260-horse power. She was built on the Clyde, which has become famous for turning out blockade runners, and does not appear likely to do discredit to the shipwrights of Glasgow. A wooden ship, with iron frame and iron masts and yards, she was no doubt built for the work in which she is now engaged, and for which she is admirably adapted. Seen from the pier, the "Shenandoah" presents only the appearance of a smart, trimly-set boat, evidently a swift sailer; but there is nothing rakish about the craft, nor anything that would rouse suspicion as to the pacific nature of her intentions, were she to steam unheralded among the shipping of any port. The disguise could hardly have been more complete or effectual. As the vessel consumes her own smoke, it is not discoverable at a distance that she has steam power; and she might easily be taken for a merchantman, as indeed she has been by many a captured Federal ship. The only point likely to attract attention is her length.

320 feet, her breadth being only 32 feet; for the iron rigging would probably not be noticed at any distance. The crew numbers seventy-five, all hands told,—rather a small complement for so large a vessel, especially when the adventurous work she has undertaken is considered. Her armament is also small, but is capable of being increased at any time should circumstances demand it. The steamer carries eight large guns, four rifled Whitworths carrying 40-lb. solid shot, and 32-lb. shell, and four guns carrying 68-lb solid shot, and 56-lb. shell. The guns, all new, are magnificently mounted, and are also in excellent order. The Whitworths are calculated to hit at a distance of three miles, and are capable of being elevated eleven degrees. The vessel, however, is confessedly equipped for capturing merchantmen, and not for contending with Federal men-of-war. A single glance is sufficient to show that she is built for speed, and the burnished appearance of her copper bottom shows that she has not idled on the way. At half speed she makes nine knots an hour, and it is evidently her policy in cases of difficulty to trust more to her heels than her armament. The ship is a new one, and this we are informed is her second cruise, which probably means her second voyage, as the present must be the only cruize on which she has appeared in the character of a belligerent under the same name. When once on deck, the merchantman appearance presented on a distant view vanishes.

From a Melbourne Paper (name not given).

The Confederate Cruiser "Shenandoah."—In yesterday's publication we gave all the particulars then attainable respecting the Confederate war steamer "Shenandoah," which arrived in Hobson's Bay on Wednesday afternoon. A personal visit to the vessel yesterday has enabled us to largely increase our stock of information on the subject, and the result of our inquiries we now place before our readers. Previously, however, we direct their attention to the two accompanying paragraphs, the contents of which throw a light on the history of this new successor of the "Alabama." Tney are from the "Home News" and the "Index," and although apparently referring to different vessels, really have reference to the same, for it now appears that the "Sea King" of the "Home News" is the "Shenandoah" of the "Index." The first named journal, in its publication of the 26th November, says:—

"A few weeks ago, the departure from Liverpool took place of a steamer called the 'Laurel' with about one hundred men on board, many of whom had served with Captain Semmes. It was also asserted that Captain Semmes himself was on board. A despatch lately received in Liverpool from Madeira is to the effect that the 'Laurel' had been lying in Funchal Bay for several days previous to the 17th October, and early on the morning of that day, she steamed out to sea and met a large screw steamer (understood to be the new 'Alabama'), on board of which were transferred the crew of the 'Laurel' and cargo, consisting of guns, ammunition, &c. The screw steamer then made for the direction of Bermuda. [The name of the latter vessel is said to be the 'Sea King,' 1,200 tons, which recently cleared out of the East India Dock for Bombay, but whose real destination was Madeira. It is alleged that she has since run on a rock, and it is feared will become a total wreck.]."

The "Index," a journal published in London, in the interest of the Southern Confederacy, has the following in its issue of the 19th of the same month:—

"*A New Confederate Cruizer.*—We have much pleasure in being able to state that almost at the same time when the 'Florida' was treacherously seized in Bahia harbour, the Confederate flag was hoisted on a new cruizer at least the equal of the 'Florida' in armament, speed, and general efficiency. The 'Shenandoah' starts upon her career with every prospect of emulating the fame of her predecessors. She is commanded by Lieutenant Waddell, Confederate States' Navy, and a gallant staff of officers. Having received her crew and armament—everything in fact that constitutes her a belligerent vessel—on the high seas, far beyond any neutral jurisdiction, there can fortunately be no pretence of accusing her of any violation of municipal laws or international obligations. It is evident that Federal commerce is baulked of the expected reward of the murderous outrage in Bahia, for already the telegraph has advised us of the doings of no less than three Confederate cruizers, the 'Tallahasse,' the 'Chickamanga,' and the 'Olustee,' all of which have recently issued from their own ports, and are busy at work avenging the 'Florida's' fate. To this formidable list of ubiquitous enemies, the New York Chamber of Commerce must now add a fourth; and Confederate sympathisers paraphrasing the familiar 'Le roi est mort; vive le roi,' may exultingly exclaim, 'The "Florida" is gone, long live the "Shenandoah."'"

(From our own Reporter.)

The arrival of a vessel of war belonging to the Confederate States of America in Hobson's Bay caused no little excitement in the city yesterday, and the object of the stranger's visit was actively canvassed on every side. We mentioned yesterday that Captain Waddell, the commander of the "Shenandoah," immediately on his arrival despatched one of his officers to Toorak, to report that the vessel had entered the bay, and that under the Royal Proclamation of Neutrality he requested permission to remain in these waters for a short period for the purposes of coaling, provisioning, and effecting certain necessary repairs to the machinery. As a matter of courtesy, until his Excellency's reply was received to the request, the captain declined to allow any person to visit his ship, neither would he permit any communication with the shore. The numerous boating parties which hovered round the ship yesterday morning were politely informed of this determination, and they were forced to content themselves with sailing round the vessel, and scrutinizing her exterior. In the meanwhile, a meeting of the Executive Council was called, and the desire of Captain Waddell was fully discussed. According to international maritime law, as expressed in a despatch from Earl Russell, the Secretary of State for Foreign Affairs, and dated 31st January, 1862, published in the Government "Gazette" on the 24th April in the same year, it is laid down that vessels of war belonging to a belligerent Power are not allowed to enter a neutral port unless they require supplies, coal, &c., or need repairs, and they must comply with the following conditions:—They must take in their necessary supplies as soon as they can, as much coal only as will enable them to get to the nearest port in their own country, or to the next port of destination, and then leave the neutral port of refuge as soon as possible. Captain Waddell was in want of coals and provisions, and required a new band to the propeller shaft of the screw. Under these circumstances the requested permission was granted, but it was not until between 3 and 4 o'clock in the day that the intention was made known on board.

The excitement which prevailed in town was very great, and the desire to get on board was heightened by the belief which was pretty generally entertained that the renowned Captain Semmes of "Sumter" and "Alabama" celebrity was on board, if not actually in command. We can, however, give the assurance that the gallant officer mentioned is not in the ship, but that some of the officers and five or six of the men who served with him in his voyages in both the "Sumter" and "Alabama," are now serving with Captain Waddell in the "Shenandoah." From early morning the crowd of persons who proceeded by the Hobson's Bay railway to Sandridge was very large. Many contented themselves with an observation of the vessel from the end of the pier. The white flag with the thirteen stars placed diagonally in one corner. with the old battle flag at the fore, being easily discernible from the peak, afforded a clear indication of the whereabouts of the Confederate cruizer. Others, notwithstanding the warning conveyed to them that they would not be permitted to set foot on the decks until the intentions of the Government were made known, nevertheless cruized around the vessel, and endeavoured by personal observation to ascertain whether she was not identical with the "Sea King," of which information had already been received. These observers were rewarded for their pains in ascertaining some clue to the apparent mystery by the partial obliteration of the three remaining letters of the last word of the former name on the trail board. However, Captain Waddell finding how anxious the people of Melbourne were to inspect his ship, at length permitted visitors to come on board. On this announcement being made known, hundreds of persons availed themselves of the accorded privilege. Every licensed boat was made available for the service, and two or three steamers crowded with passengers plied between the Sandridge pier and the war vessel in the bay. The visitors were most courteously received by the officers, who afforded any information requested of them, and on the departure of each successive party, the welcome they had received was acknowledged by three cheers. A tolerably stiff breeze was blowing in from the south, and a small whale boat in rounding to at the stern of the vessel, was caught by the wind and capsized. A lady and two gentlemen who were in the boat were thrown into the water. Some alarm was created by this unlooked for catastrophe. The lady clung to the edge of the boat most courageously, and the whole three were speedily rescued without suffering anything further than a rather unpleasant immersion.

The "Shenandoah" has brought eleven prisoners to this port, including Mrs. Nichols, the wife of Captain Nichols, and the stewardess of the "Delphine," last captured. They all went on shore yesterday morning. At sea the prisoners were kept in irons at night

except those on parole. No complaint as to treatment received on board has been made by any of the prisoners. The officers of the Confederate ship visited the city yesterday, and inspected the different public places, including the Legislative Assembly.

The "Shenandoah," one of the latest adjuncts to the Confederate navy, is a vessel of 1,160 tons English register, and about 1,400 American. She was built in the Clyde a short time ago, and having become the property of the Confederate Government, sailed from the East India Docks for Madeira. Her appearance is that of a merchant clipper, and were it not that the muzzles of four guns peered from the ports of her broadsides, no one would ever think of taking her for a man-of-war. Her length and general build would at once indicate her as being a fast sailer, and we are informed that her average is 13 knots, while under reefed canvass she has frequently gone at the speed of 11 knots.

The upper deck of the "Shenandoah" presents no extraordinary features. Her armament consists of eight guns. Forward there are two 32-pounders, rifled Whitworths; amidships, four 68-pounders, smooth bore; and aft, two small 12-pounders. The between decks are very lofty, being about 8 feet in height. The space is kept clear, and with the exception of a small table and two or three cushioned forms, nothing obstructs the centre of this deck. Even the hammocks of the crew are stowed out of reach, and all the furniture and effects visible are a few neat-looking trunks, which, from their appearance, seem to have been taken from some prize vessel. The cabin is the ordinary saloon of a merchant ship. The state-rooms, two good-sized apartments, are occupied by Captain Waddell. Nearly all the furniture they contain has been picked up on the cruize; a sofa from one prize, a chair from another, and so on with all the articles. The saloon is the ward-room for the officers, and their sleeping rooms are ranged on either side of the cabin. They too have been fitted up in the same manner as the commander's.

Having said so much about the vessel we now turn to the crew. The commissioned officers number about twenty, a very large proportion considering the smallness of the crew. The officers wear a grey uniform with gold facings, and Captain Waddell wears two gold bands round the sleeves, denoting his rank, after the fashion of the officers of the British navy. Captain Waddell, whose personal appearance is highly prepossessing, is a thorough sailor. He has been twenty-three years in the American navy, and on the commencement of hostilities he proceeded to South Carolina to fight for his State in the cause of the South. Amongst the number of her officers are three who have served in the "Alabama," and were in her when she was sunk by the "Kearsarge," off Cherbourg. They are Mr. Bullock, the master; Mr. Smith, the paymaster, who was then Captain's clerk; and Mr. O'Brien, the engineer, then third assistant-engineer. The crew are seventy-five in number, and comprise natives of nearly every country in Europe, and one or two negroes, but the majority are British subjects. On ordinary service they wear a rough greyish brown uniform dress. A very large number of the men have joined since leaving the port of departure, and have been captured in the prizes. They are a happy and apparently a well-contented lot, express great confidence in their commander, and are well pleased with the service in which they are engaged.

We now proceed to give some accouut of the "Shenandoah" from the time of her setting out on her present cruize, some three months ago.

On the 8th of October, 1864, a small party left Liverpool in a steamer called the "Laurel," and on the 14th of the same month arrived at Funchal, the capital of the Island of Madeira. There she was regarded as a thorough blockade-runner in the Confederate service, but the men were not allowed to go on shore. Some short time previous to the arrival of the "Laurel" some Polish passengers had visited the island, and quitted, forgetting the hotel accounts they left behind them, and the inhabitants were made to believe that the crew of the "Laurel" were men belonging to the same nation, *sans argent*, so that their presence on shore was not much cared about, at least by the hotel keepers.

On the 18th of October a vessel entered the harbour and steamed up to the east side, close alongside the "Laurel." This vessel was the steamer now in Hobson's Bay. She had arrived from London, having been purchased there for 45,000*l.*; and the crew, or part of them, of the small steamer having been transferred on board the new purchase, she quitted the harbour, and when far beyond the jurisdiction of Portugal the Confederate flag was hoisted, and the vessel was christened the "Shenandoah." Not a box had been opened up to this time, and now Captain Waddell found himself in command of a ship of war, commissioned and equipped to deal destruction to the merchant service of the Federal States. The crew at this time only consisted of twenty-three officers and men, a very small complement indeed for a vessel of this size. After deducting the number required for the engineer's department, stewards, &c., only ten remained for working the vessel, or five in a watch. At the outset all was confusion, but the officers stripped off

their jackets and assisted the men. The plan adopted was to steam by day and sail by night. Captain Waddell at once kept out in the ocean, always out of sight of land.

On the 29th of October, in latitude 16° 47′ north, longitude 26° 43′ west, when the "Shenandoah" had only been out ten days, the word was passed that a vessel was in sight. The royals were set and the cruizer bore down in chase with the English colours flying. The stranger hoisted the American flag, and a gun fired across his bows brought him to. The vessel, which was taken as a prize, proved to be the barque "Alina," Captain Staples, with a cargo of railway iron, bound for Buenos Ayres, and from thence to Akyab for rice. The master and mate, with a crew of ten men, were transferred to the "Shenandoah," and eight of the men immediately joined the Confederate service. The cargo was valued at 38,000 dollars, and the barque, which was scuttled, at 50,000 dollars. The crew of the Confederates had now been increased to twenty-nine men before the mast, and the ship was consequently better worked.

On the 5th of November, at daylight, in latitude 7° 38′ north, longitude 27° 46′ west, the cruizer got under steam and proceeded in chase of a schooner, which was reached at 7·30 A.M. She proved to be the "Charter Oak," 400 tons, from Boston, bound to San Francisco, with an assorted cargo. The crew having been removed she was burnt. The schooner was valued at 22,000 dollars. Captain Gilman, his wife, and her sister were taken on board the cruizer. The last named was the widow of a corporal in the Federal army, who was killed at Harper's Ferry. Captain Waddell gave her his own cabin and the whole party were well treated. Private property was respected, but a sum of 200 dollars was taken from Captain Gilman and given to his wife as a present from the Confederate Government, on the condition, which she promised to comply with, that she was not to give it to her husband. A quantity of preserved tomatoes (about 2,000 lbs. weight) was taken, and the ship's company have since been living upon tomatoes.

On the 7th November, two days afterwards, in latitude 6° 28′ north, and longitude 27° 6′ west, the barque "De Godfrey" bound from Boston to Valparaiso was fallen in with. Her cargo consisted of 400 barrels of beef. Her crew consisted of twelve men, nine of whom volunteered to join the Southern service. The vessel was burnt and cargo destroyed. On the 9th November a Danish brig was communicated with, and the master consented to take Captains Staples and Hallett with the four mates and two men who had been captured, in consideration of receiving from Captain Waddell a chronometer, a barrel of beef, and a barrel of bread. The prisoners were transferred, and the brig departed on her way to Rio Janeiro.

On the 10th November at daylight, in latitude 4° 20′ north, and longitude 26° 39′ west, the brig "Susan" of New York, Captain Hansen, was captured with a cargo of Cardiff coal. She was scuttled, and two seamen and a boy were shipped. The master himself wanted to volunteer, but he was not pressed. When the "Susan" sank at 10·30 A.M. she went down bow first, and the main truck sank while the stern was above the surface of the water.

On the 12th November, in latitude 2° north, and longitude 28° west, the clipper ship "Kate Prince," of Portsmouth, New Hampshire, was seen. She was observed on the evening from the masthead on the port beam, and the course of the "Shenandoah" was changed so as to cut her off. All the prisoners, some fifteen in number, were transferred to this vessel, which was bound to Bahia with 1,700 tons of coal. The cargo was sworn to be English, and Captain Waddell bonded the ship for 40,000 dollars. Captain Libby, the master, in return, sent to the cruizer two barrels of potatoes.

On the same day, and in the same latitude, the barque "Adelaide," of Baltimore, bound to the River Plate, hove in sight. She had a neutral cargo on board, and the vessel was bonded for 23,000 dollars.

On the day following, in latitude 1° 40′ north, longitude 28° 24′ west, the schooner "Lizzie M. Stacy," of Boston, bound for Honolulu, Sandwich Islands, with an assorted cargo, was captured and burnt. Her crew, three in number, volunteered for the service. Amongst the number was a Baltimore negro, named Charles, who, singularly enough, recognized another negro named John, captured in the "De Godfrey." The two niggers had lodged in the same house, shipped in different vessels, and were afterwards captured by the same cruizer, within a few days of each other.

About this time Captain Waddell observed a vessel in distress, with her mainmast cut away. She would not make any signal, and although there were five vessels around, she would not notice any of them.

On the 24th of November the "Shenandoah" started in chase of the ship "Rubens," of Stockholm, bound to the Cape of Good Hope, but did not succeed in coming up to her. This was in latitude 24° 44′ south, longitude 31° 28′ west. She also showed colours to an English ship on the same day.

On the 4th December, in latitude 34° 47′ south, longitude 12° 30′ west, the whaling barque "Edward" was captured and burnt, after the stores had been removed. One seaman was shipped, but the remainder, consisting of Portuguese, were not pressed. They were afterwards landed with other prisoners at Tristan d'Acunha, on the 27th December. Captain Waddell here bought some beef and sheep, and in return gave the inhabitants sixty days' salt provisions. The last capture was made on 29th December in latitude 39° 10′ south, longitude 69° east, the barque "Delphine," Captain Nichols, bound for Akyab from London, for a load of rice. She had on board about 300 tons of cargo. The vessel was burnt, and the crew, eight in number, were shipped on board the Confederate. On one occasion the "Shenandoah" chased a steamer which was proceeding with all sails set. After going three or four miles, an impression was formed that she was a British man-of-war, and the chase was at once abandoned. Since his arrival in port, Captain Waddell believes this vessel to have been Her Majesty's ship "Brisk," recently arrived at Sydney. The process of boarding was always looked forward to by the officers and crew of the "Shenandoah" with the greatest interest. Everything worth having was first taken from the prizes, and the hatches after being filled with straw and tar, were set alight. Although the ordinary dress of the Confederate service appears to be a dark brown, the men are habited in various costumes, as occasion requires. At one time the cruizer with stars and stripes flying, bore down upon a vessel, and in answer to the usual hail announced herself as a Federal man-of-war, but the strangers replied by hoisting Danish colours. Sunday has always been strictly kept on boárd, and on that day no manner of work, further than that actually required for working the vessel, has been accomplished. From the latitude of the Cape, the "Shenandoah" has come direct under sail to this coast without calling at any place. Captain Waddell requires to remain a few days in order to repair the vessel's machinery, and as an earnest of his intention, Messrs. Langlands and Co. have been engaged to effect the necessary repairs. Captain Nichols, of the barque "Delphine," states that when his ship was boarded, the papers were examined, and being found American were taken possession of, with the nautical instruments, and the provisions which were required before the ship was burnt. The persons taken off consisted of the captain, eleven men and a steward, also Mrs. Nichols and child. Several ships were hailed, but they all showed English colours. The papers of the "Nimrod," formerly the "Sancho Panza" bound to Adelaide, were investigated. We understand there is a nephew of General Lee, Mr. Sydney Smith Lee, on board the Confederate ship. In conclusion, we may mention that Captain Waddell has most courteously thrown his vessel open to the inspection of the public, and that steamers and small boats ply to and fro at all hours of the day.

Mr. Fellows' Opinion.

"To the Editor of the 'Age.'

"Sir,

"MR. FELLOWS is, no doubt, a good special pleader, and a sound *nisi prius* lawyer; but beyond this I cannot defer to his opinions. Common sense tells us that foreigners who come within our jurisdiction and receive the protection of our laws are bound by them; and, moreover, that the ship in which they come may not, whether a ship of war or not, be made a sanctuary for criminals. His opinion, however, seems to me as much opposed to law as common sense. The Foreign Enlistment Act, 59 Geo. III, cap. 69, makes enlisting in a foreign service a misdemeanour, and 'any ship' having on board such persons, may be prevented from proceeding on her voyage. Mr. Fellows, in the genuine special-pleading tone, argues that 'any ship' does not include ships of war, because the Act imposes a penalty on the 'master;' so at least I understand him. There are certain rules of construction which I think he has forgotten. It is a maxim, 'Ubi lex est specialis et ratio ejus generalis, generaliter accipienda est.' If to the application of the maxim in this case, he replies that it is only applicable to ships within the jurisdiction of the law, I answer, all within the protection are necessarily within the jurisdiction of the law, whether men or property, In fact, the right of search (an expression usually limited to the search of neutral vessels at sea) was fully discussed in 1812, and then recognized by Parliament, the only question reserved being whether the continued exercise of the right was expedient. If belligerents may search neutrals to ascertain if they are supplying the munitions of war, it follows that neutrals may search belligerents, if they have the power, to ascertain if they are not violating the laws of the country from which they are seeking temporary relief and protection. I may observe that the Act also makes it a misdemeanour to augment the warlike force of any foreign armed vessel arriving in the country. How is such an augmentation of the warlike force of the vessel to be ascertained except by searching her? And how is it to be rendered inoperative except by

detaining her? This alone is sufficient to show that 'any ship' was intended to include all ships, whether ships of war or merchantmen. As I think that the Government has acted with courage and wise decision in this matter, as well as in perfect conformity with law, I trouble you with this communication.

"A Barrister."

From a Melbourne Paper, dated February 16, 1865.

Seizure of the "Shenandoah."—Great excitement prevailed in town yesterday relative to the alleged seizure of the "Shenandoah" by the Victorian Government, and it was stated by many persons that the Government had overstepped their powers in making such a seizure. It will be seen, however, that no seizure at all was made, and that the authorities merely restrained British subjects from assisting in repairing the vessel until the neutrality regulations had been observed. Taking up the narrative of events at the point reached in our yesterday's issue, we may remark that the surmise was correct that an attempt would be made to launch the "Shenandoah" yesterday morning. At about a quarter to 5 A.M. the steam-tug "Black Eagle" was seen approaching the ship, and when within hailing distance was challenged by the sentries who are stationed on the piers on either side. The reply to the challenge was that the tug had been engaged to come at that hour for the purpose of towing out the "Shenandoah." The master of the tug was forbidden to approach any nearer, and after some parleying he steamed out again.

At 3 o'clock yesterday afternoon Mr. Superintendent Lyttleton, who had been to Melbourne for instructions, returned to Williamstown, and in accordance with an order which he had brought from the Governor withdrew the police who had been put in charge of the "Shenandoah." A considerable number of people had crossed over from Sandridge in expectation of some sensational scene, but the affair passed off very quietly. The repairs of the vessel are now completed, and when she has taken in some coal, she will be ready to proceed to sea.

From the Ministerial explanation given below, and which was made in the House yesterday, it will be seen that four men, British subjects, were arrested on Tuesday evening upon leaving the "Shenandoah," and that one of these was the man Charlie, for whom the warrant had been issued.

When arrested they gave their names as James Davison, Franklyn Glover, ——— Mackenzie, and ——— Walmsley. They were brought up before Mr. Call, Police Magistrate this morning, and shortly examined; but as Mr. Call had to attend the Police Court at Footscray, he adjourned the inquiry until the following morning.

The Ministerial Statement in the Assembly.—As soon as the Speaker had taken the chair in the Legislative Assembly yesterday:

Mr. O'Shanassy rose and said, Seeing the honourable the Chief Secretary in his place, I would wish to ask him without notice if he would be good enough to lay on the table a copy of the correspondence that has passed between the Government and the Commander of the Confederate steamer "Shenandoah" since her arrival in this port.

Mr. Mc Culloch said, I cannot at present consent to lay the correspondence on the table of the House, as it would be undesirable to do so. If the honourable member wishes information as to what has been done with the ship, I have no objection to make a general statement on the subject.

Mr. O'Shanassy.—My reason for asking that the correspondence should be laid on the table is that honourable members, and also the people of the country generally, should know exactly what has been done. In a general statement the information is not so correct; but I do not mean that it is intentionally so. If there are any reasons for withholding the correspondence, I would not press for it.

Mr. McCulloch.—This correspondence passed between his Excellency the Governor and the commander of the "Shenandoah." It was not with the Government. As houourable members are aware, this vessel arrived in the bay some three weeks ago. The captain at once put himself in communication with his Excellency, and asked that he might be permitted to have certain repairs made, and to obtain such supplies as were necessary to enable him again to put to sea. The Government at once put themselves into a position to ascertain from all despatches that had been received, and by giving the fullest consideration to Her Majesty's Proclamation, the course that should be pursued. The result was that Captain Waddell was informed that he would obtain liberty to make all necessary repairs to enable his vessel again to go to sea, and to take in necessary supplies of provisions. At the same time his attention was called to the necessity of his

keeping within the strict terms of neutrality. Captain Waddell acknowledged the act of the Government, stating at the same time that he would maintain a strict neutrality. Some time elapsed and nothing was done, in so far as few repairs were being executed on the ship. The Government, in order to secure that a position of strict neutrality was maintained, appointed a board to inquire and report as to what repairs were necessary to render the vessel fit to go to sea; not that she should be so repaired as to make her better fitted as a war-ship, or for the purpose for which she was fitted out, but that she should only be made fit to go to sea from this port. It was found that certain repairs were necessary, and that for the completion of those repairs the vessel would have to be taken on to the slip; and here I may remark that it has been stated that this is the Government slip, but it is nothing of the kind. In one sense it is the Government slip, but in another it is not, as it has been leased to a private individual. The ship has been on the slip for several days. Within the last two or three days information has been forwarded to the Government to the effect that there were certain parties concealed on board the ship—Englishmen who had gone on board since the vessel arrived in this port, and that with the view of joining the ship as seamen. Such being contrary to the provisions of the Foreign Enlistment Act, and the Proclamation of Her Majesty, the Government found they could not shirk dealing with the matter, and, as the information was furnished on sworn affidavits, the Government felt themselves obliged to take immediate steps to ascertain if the neutrality of the port had been violated; for, while the Government was bound to observe strict neutrality towards the vessel, her officers and crew, they were also bound to demand that Captain Waddell should with equal strictness observe the neutrality of the port. (Cheers.) Well, a warrant for the apprehension of an Englishman named Charley, a native of London, was issued by the Williamstown bench. The warrant was presented on Monday evening. The captain was not then on board, and so the warrant was presented to the first lieutenant. That officer refused to allow the inspector of police to go on board to ascertain if Charley was on board, at the same time giving him distinctly to understand that there was no such person on board. Well, the Government did not wish at that time to take decided steps, as the captain was not on board when the Inspector visited the ship. The Inspector was, however, instructed to go on board again when the captain was there. He went next morning (Tuesday morning) and met the same reception from Captain Waddell, who stated on his honour and faith as a gentleman and an officer that there was no such person as Charley on board. Well, the Government had so many distinct statements made to them by persons resident in Melbourne that there was such a person on board, that they considered they were obliged and bound in duty both to this Colony and to the Mother Country to take all proper steps to ascertain whether such was the case or not—whether this man was on board or not. The Government having given a considerable amount of anxious attention to all the points on the subject, which may yet turn out to be a matter of very considerable importance, came to the conclusion that the Governor should issue an order under the Foreign Enlistment Act, and, looking to the strong proofs we had before us of the violation of the Act, we felt bound to issue orders to all Her Majesty's subjects that they should refuse to continue the task of repairing the vessel, and should not give any aid in launching the ship till the Government was satisfied that the documents that had been been put in their hands, stating that there were Englishmen on board, were incorrect. At the same time a letter was sent to Captain Waddell calling his attention to all the circumstances of the case, and asking him to reconsider his determinatiun, pointing out to him that this was a violation of an Act of the British Parliament by a British subject, and that he ought to put the Government in a position to ascertain whether that person had been guilty of violating the Acts of this country. His attention was also called to this circumstance, that it was desirable for his own sake, if those statements were false, that he should put the Government in a position of being able to prove that they were false, and of bringing the parties to punishment for making such statements. This letter was delivered to Captain Waddell yesterday about 6 o'clock in the afternoon, and the messenger waited for an answer. At 10 o'clock last evening a letter in reply was forwarded to the Commissioner of Trade and Customs. And here he wished to point out that Captain Waddell kept the messenger waiting for four hours. (Hear, hear.) The letter which was dated last night was despatched by Captain Waddell at 10 o'clock—at 10 o'clock last night. In this letter he again refuses to allow the warrant to be executed, or rather he states that he did not prevent the execution of the warrant, because it was for a person named Charley, and there was no such person on board the ship. (Cries of Oh, oh.) He again repeated his statement that there were no parties on board the ship but those who were on board when she entered the Bay, and stated at the same time that he had observed the strictest neutrality. This letter came into my possession at 1

o'clock in the morning, and at 7 o'clock this morning I was informed that four men last night were detected leaving the vessel about 10 o'clock at night, or about the time the document furnished to me was despatched. These men were in a waterman's boat, and the water-police endeavoured to overtake them, but did not succeed in doing so until they arrived at the Sandridge railway station. Well, on examination we find that those parties were not on board when the ship came into the port, but joined here. (Cheers.) They were persons who ought not to have been allowed to join, and who ought not to have been concealed. (Cheers.) We have now discovered that one of those four persons who left the ship at 10 o'clock last night, or about the time the letter was despatched, was the very man Charley for whom the warrant was issued. (Cheers.) I think the course the Government has taken will justify us, not only in the estimation of the House (cheers), but I am sure it will be admitted that the Government has taken the proper course to carry out and support the intention of the British Parliament in respect to the Foreign Enlistment Act (cheers), and the intention of the Proclamation of Her Majesty with respect to the observance of neutrality. (Cheers.) There is no doubt that this man Charley, for whom the warrant was obtained, and of whom we were assured that he was not on board, was in the uniform of the ship,—on various occasions at all events. (Hear, hear.) Now, it appears to me and to the Government that if anything can be a violation of strict neutrality, this is it. (Cheers.) My honourable colleague the Minister of Justice reminds me that we have not yet proved that this man Charley wore the uniform of the ship, but we have the statement of various parties that such was the case; and as they are to be brought before the police-court to-morrow morning, I have no doubt but further information will be received on the point. (Cheers.) In the meantime, the Government have obtained what they really desired to obtain in the first instance,—that all the parties who joined the ship illegally should be removed from the vessel. (Cheers.) That having been done, we have removed the suspension of leave to Her Majesty's subjects to carry out repairs, and to assist the vessel off the slip. (Hear, hear.) Captain Waddell will, of course, be ordered to remove from this port at the very earliest possible date. (Cheers.)

Mr. Levey.—So far as I gather from the statement of the Honourable the Chief Secretary, the Government is not aware even now that all the persons who may have joined the ship here are out of her. (Hear, hear.) Captain Waddell, it seems, denied the authorities the right to search the ship for British subjects who were said to be on board in violation of British laws, and he further denied that the person for whom the warrant was issued was on board, while, as has since been ascertained, the man was on board. I think that the fact of persons having left—persons whose presence on board was denied—affords good reason for believing there are other persons on board. (Hear, hear.)

Mr. McCulloch.—The particular warrant that was issued for this particular individual has been satisfied, and if further warrants are issued for other persons who may be on board, the position of the Government will be altered. It may be that there are other persons on board, but we have no information to that effect. I may state that it is the intention of the Government to refer all the particulars of the case to the Imperial Government, and the various points in the case that have turned up. (Cheers.)

Mr. O'Shanassy.—This is an important and somewhat novel case for us. The Honourable the Chief Secretary states that the Government issued a warrant for the apprehension of a particular person, and on the strength of that warrant it was sought to establish a right of search.

Mr. McCulloch.—The Government had not issued the warrant. The warrant was issued by a Police Magistrate at Williamstown, on sworn information. Neither was there any right of search claimed by the Government, though Captain Waddell laid great stress upon that. Now it was nothing of the kind. The warrant was simply for the apprehension of one of our own subjects who had committed a breach of our own laws. (Cheers.)

Mr. Berry.—It appears to me that the captain of this vessel took advantage of the privileges of a neutral port, and how was the Government to see that the neutrality of the port was observed, as it was their duty to do, if the police were not allowed to execute a warrant, not against the ship or the captain of the ship, but against a British subject. (Hear, hear.) As to the question of the right of search set up by the captain, it has nothing to do with the case, and seems to me to be a mere subterfuge. (Cheers.) It is the duty of the Government to see that this vessel strictly observes the Neutrality Proclamation, even though they should have to go on board against the will of the captain or any of his officers. For anything that can be known to the Government, unless an examination is allowed, it might be that this vessel is now being fitted up both so as to increase her speed and render her more efficient for war purposes. Now, I

again ask, can that be ascertained without an examination? It may be that at the very last moment it will become the duty of the Government to stop the vessel. (Hear, hear.) If the Government cannot do so, then this Neutrality Proclamation simply affords additional facility for the vessel of a belligerent Power entering a neutral port to be better equipped for war purposes.

The matter then dropped.

MEETING AT THE CRITERION.—A public meeting was yesterday convened by unsigned placards, to be held at the Criterion Hotel, Collins Street, to "protest against the action of the Government in seizing the 'Shenandoah.'" The meeting was convened for half-past 3 P.M., but shortly before that hour a written notification was placed outside the Criterion Hotel, of which the following is a copy:—

"SHENANDOAH.

"This vessel has been released by the Government.

"*Opinion of Mr. T. H. Fellows.*

"'*Question.*—Have the Government of this Colony any right to search the "Shenandoah" for the alleged offender Charley?—*Answer.* I am of opinion that the Government have not the powers which they claim. A ship of war, commissioned by a foreign Government, is exempt from the jurisdiction of the Courts of other countries.'

"There will therefore be no meeting."

A very large number of persons assembled outside the hotel, and appeared very dissatisfied with the conduct of the conveners of the meeting. After considerable delay a number of persons entered the large room of the hotel, and Mr. George Robertson mounted a table and addressed the assemblage. He said he did not know who were the original promoters of that meeting, but he and other citizens came there to express their opinions on the action of the Government. He therefore moved that Mr. R. Kent take the chair.

Mr. Moton Moss seconded the resolution, which was carried.

Mr. Kent said that he was called upon quite unexpectedly. The original promoters of the meeting had deserted their post; still the citizens wished to express their opinions on the subject. He was not identified with either the North or the South, but the question which he submitted to the meeting was, had the Government acted in accordance with the principles of international law? The Government were bound to afford the "Shenandoah" opportunities for repairing damages, &c.: yet she had been seized, and he was surprised that on the previous evening not one honourable member of the Assembly had put the question to the Government why this step had been taken. He had no doubt that that question would be put that night, but meantime it was right for the citizens to express their opinions. The question involved large issues. Nothing less than whether peace or war was to exist between England, her Colonies, and the South American Confederacy. He concluded by inviting speakers to come forward and address the meeting. After a short pause—

Mr. G. Robertson said he appeared in the cause of common sense. If no one was prepared to move a resolution in pursuance of the object for which the meeting was convened, he should after the lapse of a few minutes move that the meeting adjourn.

A Voice: I propose that, meantime, we all adjourn for nobblers. (Laughter.)

Mr. Robertson: We can do that at any time and not at your expense. (Laughter.)

Mr. Freame defended the conveners of the meeting, as the opinion of Mr. Fellows and the release of the vessel removed the necessity for the meeting. (Considerable confusion ensued. The speaker was met by cries of "Bring forward your resolution," and "You cannot excuse those who called the meeting and are not here.")

Mr. M'Kay declared that he had seen Mr. Longlands a few minutes prior to the meeting, and he had positively stated that the "Shenandoah" was not released.

Mr. Ferguson flatly contradicted Mr. M'Kay's statement.

Mr. Moton Moss here rose and wanted to know what was the use of Mr. Higinbotham as a Law Officer of the Crown.

Mr. Philip Cohen then rose and said that he was not in any way identified with the origination of that meeting, but he came to see what was going to be done; and now that a number of citizens had assembled, an expression of opinion should be made as to the action of the Government in the seizure of the war-ship "Shenandoah." He would

ask that meeting, if the "Shenandoah" had been a Federal ship, would the Government of this Colony have dared to lay a hand upon her? (Loud cries of "No, no;" and cheers.) No; they would have shaken in their shoes before daring such an attempt Had the "Shenandoah" been a war-steamer belonging to the smallest, the most trivial Power of Europe, would the Government have dared to touch her? (A voice, "Certainly not; but they seize a pirate.") He contended that she was not a pirate. She had been acknowledged by the Government as a ship of war belonging to a belligerent Power; and being such, the Government had no right to lay hands upon her. (A voice, "She is a British steamer, the 'Sea King,' and not the 'Shenandoah.'") He considered that when 6,000,000 or 8,000,000 men, descended from the Anglo-Saxon stock, unanimously demanded the right of self-government, they should be granted that right; and when a ship belonging to a Confederation struggling for that right came into a neutral port, and was allowed to be placed on the slip for repairs, when she was, in fact, powerless, it was an act of cowardice in any Government to seize her by force. (Prolonged cheers.)

Mr. Quinlan, Barrister-at-Law, said he believed there was no resolution before the meeting; in order to get the proceedings into a business-like shape, he would submit a resolution,—"That the proceeding of the Government was ill-advised in seizing the 'Shenandoah,' and likely to endanger our happy relations with a State which was likely to be very powerful." He appeared before that meeting as the upholder and friend of all down-trodden nationalities, as the friend of those who strove to be free. He felt sure that the citizens of Melbourne were too well-informed as to the *casus belli* between the North and the South to believe that it was a slave question. In order to disprove the assertion of those who held the view that the slave question was the cause of the war, he need only refer to the letters of the "Times'" correspondent, and the writings of Mr. Spence. No, it was not a slave question; but rather a question of Free Trade *versus* Protection. (A Voice: So is the present meeting.) The action of the Government was undoubtedly ill-advised, and in order to support his assertion he would not rest on his own opinion but referred to the greatest authorities on international law. It had been said that the "Shenandoah" had been seized for a breach of the Foreign Enlistment Act. Now, in order to understand the question it was necessary to point out the radical difference which rested between municipal and international law. The chief object of the latter was to deprive war of some of its horrors, to infuse the elements of Christianity and humanity into contests between nations. On the other hand, municipal laws were of local and civil application. The Foreign Enlistment Act was a municipal Act, which prohibited British subjects from enlisting in a foreign service to fight the battles of foreign nations; but this did not justify the Government in attempting to serve a civil search-warrant on a ship-of-war. The Government had no right under the circumstances to board and seize the ihip. This was the opinion of Wheaton, one of the greatest authorities on international law. No civil power had jurisdiction over a man-of-war. It might be said that the Southern States of America were not a nation, but he contended that their valour and unanimity entitled them to be considered an independent State, *de jure*. On reviewing the history of the struggle between the American States and England, which resulted in the declaration of American independence, he contended that the South was justified in the course which it now adopted. Had the American States in 1777 failed to establish their right to self-government, they would have been treated as rebels, and would have been liable to all the disabilities arising therefrom. But they were victorious. In like manner the Southern States had for four years upheld the cause of down-trodden nationality in the face of the greatest difficulties, and had proved that *de jure* they were a sovereign Power. He believed that their efforts would be ultimately successful, just as the American States had secured their independence in 1777. Though the South was not recognised by the States of Europe as a sovereignty, that was not necessary to an existence as an independent State. In this assertion he was borne out by the authorities on international law, from the days of Cicero downwards. (Oh, oh, and laughter.) They might cry "oh, oh," but he would inform those who did so that Cicero wrote a work entitled "De Republica." He held that the South was not only a sovereignty *de jure*, but also *de facto*. He was glad to learn that the opinion of the Honourable Mr. Fellows was averse to the action taken by the Government.

In conclusion, he said that he regarded the course adopted by the Government as likely to interfere with our happy relations with what was likely to become a great and glorious nation. (Cheers and confusion.)

Dr. Rowe seconded the resolution. He considered that the Government had been guilty of a breach of the rules of ordinary hospitality. When the ship first arrived the captain had applied to the Governor for permission before even he allowed a man to go ashore. Certain facilities were given her for repairing; but it was not till she was on the

slip, in a defenceless state (cheers), that it was resolved to seize her. In fact we had seized a guest whom we had invited to our table. Nothing could surpass this violation of law, not even the seizure of the "Florida." He regarded the question as a colonist, and urged that the South was now engaged in a struggle in which this Colony, or the Australian Colonies, might some of these days be involved. (Cries of "No, no.") He said yes, for the war was simply in support of a demand for the rights of self-government. As to the rumours about stowaways, he had it from Captain Waddell himself that up to the time of his ship being placed on the slip, when she was defenceless, he caused a strict search to be made; but once upon the slip, it was very easy for men to be surreptitiously placed on board. (A Voice: "A Federal dodge.")

After much confusion, and some irregular remarks from various speakers, the resolution was read in an amended form, as follows:—"That the course adopted by the Government in seizing the 'Shenandoah' was ill-advised, and likely to be subversive of our friendly relations with neighbouring neutral States."

Mr. McKay, amidst loud expressions of disapproval, moved as an amendment,—"That this meeting approves of the steps taken by the Government in detaining the 'Shenandoah' until a full investigation has been instituted." He contended that the original motion condemned the Government without reason. The vessel was not the "Shenandoah" at all; it was the "Sea King," built on the Clyde; and the Southerners had, in his opinion, no more right to send out such privateers than John Mitchell would have had. (Confusion.) The man who carried on the Irish rebellion had just as good a right as these Southerners had.

Mr. P. Cohen said that he thought it was highly improper for either Northern or Southern partizans to interfere at that meeting, as it was called for the purpose of giving British inhabitants an opportunity of protesting against the conduct of the Government. (Hear, hear.)

The confusion which had been increasing throughout the meeting, here reached its climax.

Mr. Herberson rose to address the meeting, and remarked that those who had preceded him had made a mistake in addressing the audience as "gentlemen."

This uncomplimentary allusion was sufficient to ensure the speaker being hissed down.

Mr. J. W. Randall next appeared on the table, and was met in the usual noisy manner. After some prefatory remarks, he said that he had just returned from Williams Town, and had there been credibly informed that emissaries of the Federal Government had offered seamen of the "Shenandoah" sums varying from 50*l.* to 100*l.* to desert and inform against the Captain. (Cries of name, name.) He strongly deprecated such proceedings, and objected to the course adopted by the Government under the advice of the Crown Law Officers, Messrs. Michie and Higinbotham, who understood international law so little that they had to be set right by Mr. Fellows. In fact, the Government knew as little of international law as they did about Tariffs. He protested against the public being thus dragged through the dirt and made subjects of ridicule for the English press, at the instance of a Government who had no right to act in the manner it had presumed to do. (Cheers.)

The amendment was then put and lost, and the motion was put and declared carried, amid loud cheers.

A vote of thanks to the Chairman, and three cheers for the "Shenandoah," brought to a close one of the most disorderly meetings which has ever been held in Melbourne.

From the "Herald" of February 17, 1865.

The "Shenandoah" Recruits.—At the Williamstown Police Court yesterday, four men, named James Davidson, alias Charley, Arthur Walmsley, William Mackenzie, and Franklin Glover, were brought up before Mr. Call, P.M., Mr. Hackett, P.M., and Mr. Mason, J.P., charged with a breach of the Foreign Enlistment Act. The information in each case stated, "That being a natural-born subject of the Queen, you did unlawfully, knowingly, and without the leave or license of Her said Majesty for that purpose had and obtained under the sign manual of Her Majesty, or signified by Order in Council, or by Proclamation of Her Majesty, enter yourself and agree to enlist and enter yourself, to serve as a sailor, and to be employed and serve in and on board a certain vessel of war, fitted out, used, equipped, and intended to be used for warlike purposes in the service of a certain foreign power, province, or people, or part of a foreign power or people, exercising and assuming to exercise the powers of Government, to wit, the Confederate States of America."

The prisoners were thus described:—Davidson as a native of Scotland, aged 22;

Walmsley as an Englishman, aged 17; Mackenzie as an Englishman, aged 22; and Glover as an American, aged 24.

Mr. M'Donnell, instructed by a clerk from the Crown Law Offices, appeared for the prosecution. The prisoners were undefended.

Mr. M'Donnell asked for an adjournment, as he had only just been instructed, either for two hours or until the next day.

The prisoners, however, said they were ready to go on.

The Bench, therefore, thought it would be unfair to keep them in custody any longer than was necessary.

Eventually the case was adjourned for an hour.

On the Court resuming, *Mr. McDonnell* said that the proceedings were instituted under Act 59, George III, cap. 69, commonly known as the Foreign Enlistment Act. He would prove that the prisoners went on board the "Shenandoah" in these waters, and within the jurisdiction of this Colony, for the purpose of entering into the service of a belligerent State, with which this country was not at war. He would further prove that they were British-born subjects; that they were on board; that they were seen to get over the side of the vessel into a boat, come ashore, and that on reaching the shore, they were apprehended, and further matters in the way of conversation that then took place between them and the police who apprehended them. That would be sufficient to satisfy the requirements of the statute. A case was decided in the Exchequer Chambers at home in which the law was fully gone into, and although that was for equipping a vessel for war, the same Act applied. The case was known as the "Alexandra" case. The point submitted for the adjudication of that Court did not arise directly in the present instance, but the principle did incidentally. He was then proceeding to call evidence, when—

Mr. Call asked whether it was proposed to make it a joint prosecution, and mentioned that in a superior Court an indictment could not be filed against all together.

After some discussion, *Mr. M'Donnell* elected to proceed first against Davidson, alias Charley. The others were then removed, and the following evidence called:

Richard Wardle, watch-house keeper, said that on the 14th instant, the prisoner was brought to the lock-up in company with three others. He gave the name of James Davidson, and said he was a native of Scotland. (The witness then read the entry which showed the prisoner was brought in at ten minutes past 10 o'clock at night; that he was a Protestant, and that he could read and write.)

John Williams deposed.—I belong to the United States of America. I was taken from the barque "De Godfrey," on which I was employed, by the "Shenandoah," on the 7th November, 1864. I entered on board the "Shenandoah" in the capacity of cook. (The witness was here asked as to the circumstances under which he joined the "Shenandoah," but the Bench ruled that it was unnecessary and also unadvisable to try and turn the proceedings into a sensation trial.) I arrived here on the 23rd January. I know the prisoner; he gave his name as Charles. He came on board two days after we arrived. He was employed as assistant-cook to the ward-room officers. When he came on board he had on the clothes he now wears. While on board he wore the Confederate uniform. I had a conversation with him while he was on board. I asked him where he belonged to. He said London. I asked him what ship he came by, and he said the "Great Britain." He said he would like to ship on board the "Shenandoah," and while we were talking, sailing-master Bullock came into the galley where prisoner and I were. That was about a week after the prisoner came on board. Mr. Bullock asked prisoner what he wanted in the ship, He told him that he came to join the ship. Mr. Bullock told him to keep out of sight while the visitors were on board.

To Mr. Call.—At that time the prisoner had on the ship's uniform.

To Mr. Mc Donnell.—When told to go out of sight, the prisoner went into the forecastle. Mr. Bullock told the master-at-arms to lock the forecastle door, and to allow no visitors in. The prisoner at that time was in the forecastle. I left the vessel on the 5th February. The prisoner was on board then.

To Mr. Call.—Prisoner at that time was cooking. When the visitors went ashore he came out, and in the morning when they began to arrive he went into the forecastle again. He was let out at night to get his hammock on the berth deck. He slept next me. I cooked the "grub" for him, and sometimes took it to him myself. At meal-times the master-at-arms unlocked the door, passed the "grub" in, and then re-locked the door.

John Mc Donnell.—The prisoner got his uniform from Griffiths, a seaman. While on board the first lieutenant also spoke to the prisoner on several occasions. The

prisoner wore his uniform when Lieutenant Whittle spoke to him, and was in the galley cooking.

To Mr. Call.—The Lieutenant told him he dare not ship him while in port, but ordered him to keep out of sight, and said he would ship him when out of port.

Prisoner.—Did I ever tell you my name?

Witness.—Yes, you did.

Prisoner.—When?

Witness.—I called you Bill when in the galley, and you said, "My name is not Bill, it is Charley."

Prisoner.—Think again. You are mistaken.

Witness.—You asked me for a razor to shave with, and I gave you one.

To Mr. Call.—It was on the second day when the prisoner asked for a razor. Before that he had full whiskers. (The prisoner appeared in Court with simply a moustache and chin tuft.) He said he wanted to disguise himself so that people would not know him. He then shaved himself as he now appears.

Walter J. Madden.—I am a native of Boston. I was a seaman on board the barque "De Godfrey." I was taken out of her on the 7th November, 1864, by the "Shenandoah." I went from the "De Godfrey" and entered the "Shenandoah" as a seaman. After going on board I was rated as master of the hold. We arrived here on the 25th January.

To Mr. Call.—This is the first port we touched at since I joined the "Shenandoah."

To Mr. M'Donnell.—I know the prisoner. He first came on board a day or two after we arrived here. He worked in the galley, and he had on the ship's uniform. I had some conversation with the prisoner. I asked him what he was doing on board, and he said he came to join her if he could. Visitors were on board while I was there, and the prisoner was in the forecastle while they were there. The forecastle was locked while he was there by the master-at-arms. He got his dinner in the forecastle at 12 o'clock. Dinner used to be passed in to him in the forecastle. It was passed in by the cook's mess-boy. I never saw Williams pass it in, but I have seen Quarter-master Wiggins do so.

To Mr. Call.—It was passed in through the cable-hole, which was large enough for a man to get through. There was a door to that hole which was not locked, although it could have been. It was kept shut.

To Mr. M'Donnell.—While visitors were on board the prisoner was locked up in the forecastle; after they left he used to come out in the evenings. We used to call him "Charley" on board. He slept in the fore-hatch, and I slept aft. I left the vessel on the 6th; I think a week last Monday. When I left the vessel Charley was then on board. He usually wore the uniform "pants." He wore them all the time he was on board. I have seen him wear the uniform cap sometimes.

To Mr. Hackett.—It was a grey cap, with two red and one white stripes round it.

To Mr. M'Donnell.—I have seen the petty officers speaking to him and he then had on the uniform. One was chief boatswain's mate, and another the master at arms. I saw them speak to him every evening. I was not present when any order was given to the prisoner by the officers. His general work was cooking in the galley.

The prisoner said he did not wish to ask any questions.

Witness (to Mr. Call).—There had been many workmen about the vessel, but none of them slept on board for the night. We had no hired labour for the galley. While the prisoner was in the forecastle, which was ordinarily used as a store-room, there were other persons there besides those who had come in with the ship. The prisoner is the man concerning whom I laid an information the other day. The muster was twice called over while we were in port, and while I was board, by the chief Lieutenant, at about 9 or 10 o'clock in the morning. Every one who was on the ship's articles was mustered. The boatswain sung out, "All hands to quarters." The men were mustered by their numbers at the guns. The carpenters and others were not called over; excepting for men at the guns, no roll was taken. The second Lieutenant and the Quartermaster went round to see after the others. On the first Sunday in every month, all hands were mustered and the laws read out.

To Mr. Hackett.—I do not belong to the ship now. I have come ashore (laughter), and am not going back.

Mr. M'Donnell wished the witness to explain, but it was considered unnecessary.

Charles Bincker said.—I am a native of Germany. I was taken from the barque "Alina," on which I was a seaman, by the "Shenandoah," on the 29th October. We were then at sea. I know the prisoner. I first saw him about twelve days ago, and five

or six days after we arrived. I left the vessel last Sunday. From the time when I first saw him, until I left, he continued to be on board. I heard him called Charley.

To Mr. Call.—He was acting as cook in the galley.

To Mr. M'Donnell.—He wore grey clothes; the uniform of the vessel. He wore grey trousers and a grey cap, with two red stripes and a white one in the centre. I saw visitors come on board; while they were there Charley was in the forecastle. At dinner-time he was in the forecastle; he used to get his dinner there. He was locked up in the forecastle. He got his dinner from the mess cook's boy. It was passed through the cable hole. I have seen the master-at-arms unlock the door. When the visitors went away, the prisoner went into the galley and was cooking.

To Mr. Call.—He got out sometimes through the hole and sometimes he was let out. I have never seen him come out or go in. I have seen the master-at-arms lock the door.

To Mr. McDonnell.—He slept in a hammock on the berth-deck.

To Mr. Call.—I never saw any of the officers talking to him while I was on board.

Herman Vecher sworn.—I am a native of Germany. I was on board the "Alina" with the last witness in October last, and was taken from her by the "Shenandoah." I arrived here in the "Shenandoah" in January last. I know the prisoner. I saw him on board about seven or eight days after we arrived. I left the vessel last Sunday, and until I left I saw him continually on board. He was in the galley as cook. He wore the uniform. I have seen him in the forecastle in the day time—after breakfast and during the dinner-hour. He used to have his breakfast in the forecastle. When visitors were on board he was in the forecastle. After they had gone I used to see him in the galley. He slept between decks in a hammock. I have spoken to him about the "Shenandoah," and he told me he had joined her as cook. I have not heard the officers speak or give orders to him.

The prisoner said he did not wish to ask any questions.

Witness recalled.—While I was on board I never saw any officer go into the forecastle to see who was there.

To Mr. Call.—The master-at-arms was the officer in charge of the forecastle.

Alexander Minto, sworn.—I am a senior constable of water police stationed at Williamstown. I was in charge of the police-boat on the night of the 14th instant; shortly after 9 o'clock, at the patent slip on which the "Shenandoah" was, I saw a boat haul up to the gangway of the "Shenandoah." One of the officers of the "Shenandoah" was standing at the gangway; he had his uniform on. I saw one of the boatmen, George Nicholls, go on board, and in a short time, a second or two, four men, James Davidson among them, came down to the boat. Another waterman, Clarke, remained in the boat. When I saw the four men go into the boat, I hauled alongside and spoke to them, Charley being present. I asked them who they were, and what they had been doing on board.

To Mr. Call.—I think the officer at the gangway could have heard me.

To Mr. M'Donnell.—They said they had been working at daywork on board. One of them had a bundle in his breast. I heard a call of "George" from the ship, which I took to be from the officer at the gangway, and immediately I saw Nicholls come and slide down into the boat. The boat then at once pulled ahead. I followed them, but lost sight of them on the water. I returned at once to the patent slip, and ran up to the railway station, and saw two of them on the platform. I searched and found the two others in the water-closet. Charley was one of the two that were walking on the railway platform. I went to them and asked them why they hurried away from the ship so quickly. They seemed to hesitate, and then said, "Oh! the 'Shenandoah' you mean." I think it was Charley who said that. They asked what I wanted, and spoke of the train having just started, and I told them there was another. I asked them to accompany me, and they did so. On the way I spoke to all of them. Charley said he was sorry he had to leave her; that he had sold everything he had to join the ship. I asked him what ship he had been in last, and he said he came out from London in the "Indemnity." I took them to Mr. Lyttleton, Superintendent of Police.

The prisoner asked the witness no questions.

Thomas H. Lyttleton sworn.—I am a superintendent of police. On the morning of the 14th I went on board the "Shenandoah" while she was on the patent slip. I saw Captain Waddell. I believe he is the Captain of the vessel. I went on board to ask him to allow me to execute a warrant. (The witness was then asked as to his conversation with Captain Waddell, but the question was ruled to be inadmissible, although it was explained that the object was to prove the nationality. The Bench said Mr. Lyttleton's own conclusions could be taken.) I saw a flag on board, which I believe to belong to the

Confederate States of America. I had with me the warrant produced, and I told him the purpose for which I went on board, but I was not allowed to effect it. I know the vessel to be commissioned by the Confederate States of America. The warrant was for the arrest of one Charley, but I was not allowed to execute it. I was a quarter of an hour on board. I am able to say she is a Confederate States' vessel.

To Mr. Call.—I had had a description of Charley, and saw him during that night. I recognized him, and had a conversation with him. He was brought to me by Senior-Constable Minto, and I at once said, "I believe you are the very Charley I want." He laughed, and said it was a great joke on board about Charley being wanted. He said he was not the man. He said he was cooking for the ward room mess, and I said I thought he looked like a cook. I sent him to the lock-up with two constables. He said he had been a few days on board, and that he picked up his meals from among the men. He expressed disappointment at not being able to go.

The prisoner asked the witness no questions.

Mr. M'Donnell stated that that was his case.

The Court then adjourned for half-an-hour, and on resuming—

Mr. M'Donnell asked the Bench to give their decision, as otherwise he should not be in a position to proceed with the other cases.

Mr. Call stated that the Bench were prepared to give their decision, and then asked the prisoner the ordinary questions.

The prisoner said that he had never given the name of Charley. The statement was false altogether, and they had perjured themselves who said so.

Mr. Call (addressing the prisoner).—The Bench are of opinion that you have brought yourself within the Act referred to, and have so served on board a vessel fitted out for warlike purposes. You are therefore committed to take your trial at the Supreme Court. Bail will be allowed, yourself in 50*l.*, and one surety in 50*l.*, or two in 25*l.* each. He was then removed.

Franklin Glover was then placed in the dock.

Mr. M' Donnell said that there was no evidence against him, and that the case would therefore be withdrawn. He was an American.

The bench then ordered his discharge, and he was set at liberty.

William Mackenzie was then brought forward. When the information was read over to him, he stated that he had nothing to say.

John Williams was then recalled. He said: I first saw the prisoner on board on 29th of January. He wore "citizen" clothes—no uniform at all. When visitors were on board he was in the forecastle; when they left, he was out on deck. I never saw any of the officers speaking to him. I never had any conversation with him, and he never spoke to me more than to ask when the ship was going away. I said, I did not know. I cooked the "grub" and sent it to the prisoner by the boy. I saw the forecastle door unlocked after supper, when the visitors had gone ashore, by the master at arms. After it was unlocked, I saw the prisoner come out on deck.

The prisoner said the forecastle door was open all day.

Witness (to the prisoner).—You had been on board for three days without regular rations, when I went to Mr. Grimball, the second Lieutenant, and asked what was to be done with you and the others in the forecastle, when he gave me directions to the master-at-arms to get rations and supply them to you in the forecastle, the same as the others. I got cooked and supplied them to you in the forecastle.

To Mr. M'Donnell.—The prisoner slept in the berth deck.

The prisoner said he slept in the forecastle.

Witness (to Mr. Call).—There were about twelve men in the forecastle who had come from the shore and wanted to join the ship. None of them arrived with the ship.

Walter J. Madden, recalled, deposed.—About four or five days after I arrived in the "Shenandoah" I saw the prisoner on board. He was not engaged in anything. When I left on the 7th February he was then on board. He was in the forecastle, and his meals were carried in to him. When the visitors had gone he used to come out on deck in the evenings. He used to sleep in the berth deck. He spoke to me with reference to joining the ship. He said he had not been long going to sea, and that he would like to join as ordinary seaman. He said he came on board to join the vessel. I did not hear any orders given by any of the officers to him.

To the prisoner.—It was the night she broke adrift that you remarked to me you had not been long going to sea, and that you would like to join as ordinary seaman.

Charles Bincker, recalled, deposed.—I first saw the prisoner on board the "Shenandoah" about five days after we arrived here. He holystoned the deck on Saturday last. He wore his own clothes, and was on board when I left the vessel on Sunday last. He

slept in the berth deck, and had his meals in the forecastle, the door at the time being locked. I have seen the master-at-arms open the door while the prisoner was there, as he always was when visitors were on board. I had no conversation with him I do not know who ordered him to holystone the deck.

Herman Vecker, recalled, said :—The prisoner came on board about five days after we arrived here. He worked on deck with the holystones. For the first four or five days he was in my mess between decks, but after that he received his meals in the forecastle, where he was when visitors came on board. I do not know who told him to go to work. I did not have any conversation with him. When he first came on board there were no locks on the doors, but afterwards when more men came there were two locks. I have seen the quartermaster unlock the door and hand meals in to the prisoner.

The prisoner asked this witness no questions.

Alexander Minto was then recalled, and deposed to the arrest of the prisoner, in much the same terms as in the previous case. The prisoner said he had lately been in the hospital, and that he had taken six trips in the "City of Hobart." He also said, "I am sorry I cannot go in her now: I should like to have gone in her."

Richard Wardle, the watch-house keeper, was then recalled to prove the entry made on the night of the prisoner's arrest, from which it appeared he declared himself an Englishman.

Thomas H. Lyttleton, Superintendent of Police, repeated his former evidence.

That being the case for the Crown, the Bench retired to consider their decision.

After a short absence they returned, and the prisoner was asked whether he had anything to say in his defence.

The prisoner said: All I can say is that I was not aware that I was breaking any law in going to join this vessel. I have been out of a ship for some time, and I thought I might as well try and get some employment as soon as possible.

Mr. Call.—I do not think your are mending your case by making such statements.

Prisoner.—I have nothing more to say.

Mr. Call to Mr. McDonnell).—The Supreme Court is now sitting: is it contemplated that the case shall now come on during these sittings?

Mr. McDonnell.—It is not so intended.

Mr. Call—Then we might commit them to the General Sessions, as it would save time and not keep them in custody so long.

Some discussion then ensued as to whether such a course was permitted, and upon reference it appeared that it was not.

The prisoner was then committed to take his trial at the Supreme Court, the same bail as in the other case being allowed. He was then removed.

Arthur Walmsley was then brought forward. When the information was read over to him, he denied that he went on board the "Shenandoah" for the purpose of joining her.

Mr. Superintendent Lyttleton deposed to having seen the prisoner on the night of the 14th instant; he said he had been on board a few days.

Prisoner.—I said I had been on board only one day.

Witness (to the bench).—I cannot recollect exactly what time he said.

Watch-house-keeper Wardel was recalled, and read the entry made when the prisoner was locked up, from which it appeared he described himself as an Englishman.

Charles Bincker recalled, deposed.—I first saw the prisoner on board the "Shenandoah" after we arrived here. He was painting between decks on Saturday last. He took his meals with No. 2 mess. He was sometimes in the forecastle and sometimes on deck. He slept in the berth deck. He was on board when I left the vessel. I had no conversation with him. He wore his own clothes.

Herman Vecker recalled, deposed.—I first saw the prisoner on board on the 7th February; when I left the vessel on Sunday he was on board. He slept in the berth deck, and had his meals with No. 2 mess. I have seen him do work on board. I asked him what he was doing on board the "Shenandoah," and he said, "I will join as a seaman before the mast." At that time he had been two days on board.

Prisoner.—Look here, Sir; if I was going to die this very minute, I never spoke to that man there, and if Fox were here he would prove it. I went on board simply to see Fox, who came from the same town as I did.

Witness (to the bench).—Fox is a quarter gunner.

Senior Constable Minto then repeated his evidence. The prisoner when arrested said he had gone on board on the day before to see a person who had come from the same town as himself.

That concluded the case

Mr. Call asked the prisoner whether there were any witnesses that he could call, such as persons from Melbourne, who could say that he was on shore and not on board the ship.

The prisoner said that Captain Duncan Graham, of the Potomac lighter, could prove that he was living on board the lighter up to Tuesday morning. There were several other captains of lighters who could prove the same.

Mr. Call then directed the police to obtain the names and addresses of such persons and to ensure their attendance.

The prisoner was then remanded until 11 o'clock on the following day, that the evidence might be produced.

The Court then rose.

There was no meeting of the Legislative Assembly yesterday, owing to a quorum of members not being present.

The four men who were arrested in the attempt to escape from the Confederate States cruizer "Shenandoah" on Tuesday night last, were brought up at the Williamstown police court yesterday, charged with infringing the Foreign Enlistment Act by entering or agreeing to enlist themselves in the service of the Confederate States on board that vessel. The Court was crowded during the whole day, and considerable interest was manifested in the proceedings. After some discussion it was resolved to take each case separately, and that of Davidson, alias Charley, to search for whom the warrant was issued, was first proceeded with. It was shown by several witnesses, who were until lately members of the crew of the "Shenandoah," that the man was not seen on board until after the vessel arrived in these waters; that he was employed as cook except when visitors were on board, during which time he was locked up in the forecastle; that he had been told by the first lieutenant to keep out of sight until the vessel was out of the port, when he should be enlisted, and that he had spoken to the witnesses of his desire to join the vessel. He was committed for trial at the next criminal sessions, as was also Mackenzie, who, when called on to speak in his own defence, added evidence to that previously given against him. Glover, who, when arrested declared himself an American, was discharged, it being stated there was no evidence against him. Walmsley, a boy of about seventeen years of age, and against whom the case is somewhat slight, stands remanded until to-day that he may call evidence to rebut some of the statements made by the witnesses for the prosecution.

The captain of the "Shenandoah" does not appear desirous of losing any time in taking his departure from this port. The crew were busily engaged during yesterday in taking in coal, and towards evening the sails were being uncovered. It is understood that the vessel will leave to-morrow.

No. 10.

Earl Russell to Mr. Adams.

Sir, *Foreign Office, October* 25, 1865.

I HAVE the honour to acknowledge the receipt of your letter of the 21st instant and its inclosures, respecting the "Shenandoah," and I have to state to you that your representations shall be duly considered by Her Majesty's Government.

I am, &c.

(Signed) RUSSELL.

No. 11.

Earl Russell to Mr. Adams.

Sir, *Foreign Office, November* 3, 1865.

HER Majesty's Government have duly considered your letter of the 18th of September, and, however unwilling I may be to prolong this discussion, I find it absolutely necessary to clear up some misconceptions as to the course and conduct of Great Britain during the recent contest in America.

I do not consider it incumbent upon me, however, to repeat or enlarge upon my arguments in reference to the alleged precipitate recognition of belligerent rights, or the contrast you draw between the conduct of Her Majesty's Government in the late civil war and that of France during the American war of independence.

The existence of belligerent rights is, as Mr. Canning said, a question of fact rather than of opinion, and if the fact of a vast insurrection is developed suddenly, rapidly, and completely, the case must, I conceive, be treated by other nations in a different manner from the case of a rebellion breaking out partially, slowly, and gradually.

Nor, do I conceive, is it necessary to point out the difference between the conduct of France acknowledging the United States of America as an independent State, and forming Treaties with the Government of that State within two years of the declaration of independence, and the patient neutrality of Great Britain, notwithstanding the interruption of her commerce and the immense losses suffered by her people during four years, and until victory had declared in favour of the Government against which the insurrection was directed.

I cannot forbear, however, to express some surprise at the apparent confidence you express that Her Majesty's Government will acquiesce in a doctrine which the United States during more than thirty years declared to be opposed to the law and practice of nations, and that Her Majesty's Government will grant reparation on grounds which, when urged by Portugal in a similar case, the United States positively, constantly, and solemnly rejected.

Thus I find that in November 1850 the Portuguese Minister at Washington,* in an able summary of the Portuguese claims, after relating that upwards of sixty Portuguese vessels had been captured or plundered; that the fitting out at Baltimore of the privateers which effected their capture was notorious, and that many leading citizens of Baltimore, including the Sheriff and Postmaster, were summoned before the Courts as interested in those privateers, adds, "The Undersigned begs leave to say, and he submits that it was the duty of the United States' Government to exercise a reasonable degree of diligence to prevent these proceedings of its citizens, and that having failed to do so, a just claim exists on the part of the Government of Portugal, in behalf of its despoiled subjects, against the United States for the amount of the losses sustained by reason thereof."

But did the United States admit the claim thus courteously preferred? I cannot find that even any reply was returned to the Portuguese Minister.

Probably the United States' Government relied on the answers which from 1816 to 1822, and from 1822 to 1828, had been given to the Ministers of Portugal.

These answers were, in substance, that prosecutions would be instituted if evidence were forthcoming. Thus, in reply to a letter of the Portuguese Minister of December 11, 1818, respecting John Daniels, the supposed commander of a privateer, Mr. John Quincy Adams says:†—

"The Attorney of the United States for the district of Maryland, under instructions from this Department, will commence a prosecution against him, if *evidence shall appear sufficient for convicting him of having violated the laws of the United States, by outrages committed upon any of the subjects of Portugal.*

"I have the honour of giving you this notice in reference to your letter above-mentioned, and of requesting you to give directions that any testimony which may be material for the commencement of a prosecution, and which it may be in your power to indicate, may be made known to Elias Glenn, the District Attorney of the United States at Baltimore, who is directed to prosecute conformably to the laws any person *against whom the evidence obtainable shall be sufficient to warrant his conviction.*"

Exactly similar to this conduct on the part of your Government has been the conduct of Her Majesty's Government in the late war. In the case of the "Alabama," I asked for evidence sufficient to obtain a verdict, and as I could not myself judge of the sufficiency of the evidence you tendered, I referred the question to the Law Officers of the Crown.

If it is asserted that I did not use reasonable diligence, or that the late and the present Attorney-General were either ignorant of the law, or purposely mis-stated it, I can only respectfully but decidedly repel any such charge, both for myself and for the Law Officers of the Crown.

Yet, although our conduct has been precisely similar to that of your own Government to Portugal, you now draw an alarming picture of the consequences which may arise from such conduct: "For," you say, "if it be once fairly established as a principle of the international code, that a neutral Power is the sole judge of the degree to which it has done its duty, under a code of its own making, for the prevention of gross and flagrant outrages, initiated in its own ports by the agents of one belligerent in co-operation with numbers of its own subjects, and perpetrated upon the commerce of the other on the high seas; if it be conceded that the neutral, upon reclamation made for the injuries thus done by reason of the manifest inefficacy of its means of repression, which it has at all times the

* The Portuguese Minister at Washington to the United States' Secretary of State, November 7, 1850.
† The United States' Secretary of State to the Portuguese Minister at Washington, April 22, 1819.

power to improve at will, can deliberately decline to respond to any such appeal, fall back upon the little that it has attempted as an excuse, and thenceforward claim, with justice, to be released from the inevitable consequences that must ensue from its inaction, then it must surely follow that the only competition between neutral Powers hereafter will be, not which shall do the most, but which shall do the least to fulfil its obligations of interdiction of the industry and enterprize of its people in promoting the conflicts that take place between belligerents on the ocean."

Yet, as far as I can judge, your Secretaries of State always maintained that the United States as a neutral Power were "the sole judges of the degree in which it had done its duty under a code of its own making."

But now as to the code. I fully admit that the Laws of Congress of 1817 and 1818 differ from the Act of 1794. The chief difference appears to me to lie in the provision that, besides Princes and States specified in the Act of 1794, the Act of 1818 extends to "colony, district, or people."

But so does, in other words, our Act of 1819. There are other differences, however, and to these I suppose you allude.

But, for the reasons which I proceed to state, these other differences (of which I did not lose sight while stating in my former letter that the main provisions of the Act of Congress of 1818 had been adopted in our legislation of 1819, so far as they were considered applicable to the circumstances of this country) have never appeared to Her Majesty's Government to be of any very material importance.

The 10th section of the Act of Congress of April 20, 1818, requires bonds to be given "by the owners or consignees of *every armed ship or vessel sailing out of the ports of the United States, belonging wholly or in part to citizens thereof*," in double the value of the ship and cargo, against the employment of such ship or vessel, "by such owners," to cruize or commit hostilities against the subjects, &c., of any Province or State with whom the United States are at peace.

The 11th section of the Act of Congress of April 20, 1818, is in these words: "And be it further enacted, that the collectors of the Customs be, and they are hereby respectively authorized and required, to detain any vessel *manifestly built for warlike purposes, and about to depart the United States, of which the cargo shall principally consist of arms and munitions of war*, when the number of men shipped on board, or other circumstances, shall render it probable that such vessel is intended to be employed by the owner or owners to cruize or commit hostilities upon the subjects, citizens, or property of any foreign Prince or State, or of any colony, district, or people with whom the United States are at peace, until the decision of the President be had thereon, or until the owner or owners shall give such bond and security as is required of the owners of armed ships by the preceding section of this Act."

Now I contend, first, that for ten years these provisions proved utterly inefficacious to prevent the fitting out of privateers at Baltimore, as shown by the fact that the complaints of the Portuguese Ministers of captures and plundering by American privateers were more frequent, and extended to a larger amount of property after 1818, than they had done from 1816 to 1818.

But, secondly, I observe that the 10th section applies only to vessels which are already armed before they sail out of the ports of the United States, and which belong (wholly or in part) to United States' citizens; and the security taken under this section is only against their employment "by such owners" to cruize, &c., leaving those owners at liberty, without forfeiting their bonds, to transfer the vessels to others, who might afterwards so employ them. The 11th section applies only to vessels "manifestly built for warlike purposes," and "of which the cargo shall principally consist of arms and munitions of war," and I think it is quite clear that had we so amended our law, and had it been found applicable in any cases, the owners of the vessels might easily have given the bonds required, and might as easily have sent their vessels to sea, forfeiting or not forfeiting, as the event might have turned out, the amount of their bonds. The great armies equipped and fed by the Confederates; their vast magazines; the money advanced for the Birkenhead rams, show conclusively that, if Her Majesty's Government had relied on such provisions as the 10th and 11th sections of the Act of Congress, many vessels, probably including the rams at Birkenhead, would have escaped and have been employed in breaking the blockade of Charleston and other Southern ports. Be that as it may, however, these provisions of the Act of Congress clearly would not be applicable to the "Alabama," "Florida," "Georgia," "Shenandoah" and vessels of that class; none of which, when they left this country, were either "armed ships or vessels," or had on board any cargo, consisting "principally" (if at all) "of arms and munitions of war," neither would they have been applicable to the ships which carried out arms, &c., to those vessels,

which were themselves neither armed nor "intended to be employed by the owner or ers to cruize or commit hostilities." If, therefore, such provisions had been contained he British Statute, they would have proved simply nugatory, and would have added ing in any of the cases which have actually happened to the powers of prevention n by the Act as it stands.

In that case, what would have been our position? We should have been reproached e than ever in America for the insincerity of our proceeding, and our inactivity in uting our own law. Results would have been appealed to, as you appeal to them ie letter to which I am now giving an answer.

In the case of "the Birkenhead rams," we had first the evidence, in their construction f, that they were built for warlike purposes; next a copy of the contract by which Bullock, the Confederate agent, agreed to sell these vessels to M. Bravay; next the f that their Egyptian names, &c., were only a fiction, the Viceroy of Egypt having tively refused to buy them. Those and other circumstances amounted to a presumptive f that those formidable vessels were intended for the purpose of making war on the ted States. You are already aware of the conduct of the Government when they had, this instance, a case upon which they could proceed.

On the other side, take the case of the "Sea King." She was a merchant-ship, med, which went from the Thames to a foreign port. Our Foreign Enlistment Act, yours, requires two things to be proved: First, that the vessel is fitted out, armed, equipped for warlike purposes. But, secondly, it is not enough to prove that the el is fitted out, armed, or equipped for purposes of war. The warlike intent must be cted against some Prince or State in friendly relations with the Crown of Great Britain. , on neither of these points did you furnish us, nor did we possess, a tittle of evidence nst the "Sea King." Yet you hold us responsible for all the depredations she may committed on the high seas!

It must not be forgotten that in a free country the Crown cannot act upon mere ie suspicion, without some evidence to submit to a jury; and that trial by jury ds to British subjects the same protection which, in an ordinary state of peace, erican citizens enjoy in your own country.

Her Majesty's Government desire to be on the most friendly terms with the United es, but are not prepared to accede to any demand which aims at the diminution of freedom, or which assumes, without warrant from any previously recognized authority practice, the existence of an extent of obligation on the part of neutrals towards gerents, going beyond any which the Government of a free country could have er, though acting with entire good faith, punctually to fulfil.

Yet it appears to me, I confess, that as neither the Law of the United States nor own Foreign Enlistment Act have proved upon trial completely efficacious, it is worth sideration whether improvements may not be made in the Statutes of both nations, hat, for the future, each Government may have in its own territory as much security ur free institutions will permit against those who act in defiance of the intention of the ereign and evade the letter of its laws.

I have the honour to inclose a Memorandum in regard to our own conduct during American War in reference to a passage in your letter (Inclosure No. 1), and a second norandum showing in what manner your various complaints during the recent Civil r have been disposed of (Inclosure No. 2).

I have, in conclusion, only to repeat, in this the last letter which I shall have the our to address to you on this subject, my sincere and earnest hopes that our two ntries, now both relieved from the stain and the guilt of slavery, may perform their in the world in peace and goodwill.

I am, &c.
(Signed) RUSSELL.

Inclosure 1 in No. 11.

norandum relative to the Measures of Coercion adopted by Great Britain during her Contest with the North American Colonies; and also regarding the Policy of Foreign Powers.

Extract from Letter from Mr. Adams to Earl Russell of September 18, 1865.

"In respect to this, may I be permitted to beg your attention to the fact that, with perhaps the exception ie gross number of the people engaged, I do think myself able to furnish an example of an insurrection in particular corresponding to your description, which has occurred within the last century. I do not doubt my allusion will at once be understood by your Lordship without another word.

"Yet, notwithstanding all the points of identity in that case, I cannot find that Her Majesty's Gover was met at the outset in 1774, with any announcement, by a foreign Power in amity with Great Britain, necessity immediately to recognize the insurgents as a belligerent Power, because of the magnitude of the stru or for any other cause. Neither is there the smallest ground for believing that it would have tolerated proceeding for one moment, if it had been.

"Her Majesty's Government at once resorted without scruple or hesitation to every right ordinarily exer by a belligerent in a war with a strong Power, and was met with a degree of resistance more effective and end than any manifested in the late struggle. That resistance, too, was carried out on the ocean, where alone interests of distant neutral States are liable to be seriously affected by the domestic strife of any nation, in a ma far more extensive than the late insurgents by their unaided efforts ever could have attempted. Yet a leng time elapsed before any foreign Power, however much inclined, ventured to find in this state of things any re for considering the people waging such a war as a belligerent Power. It furthermore is certain, that if at any the smallest indication of a leaning that way manifested itself in any of the commercial Powers, it was immedi noted by the British Government for remonstrance and reclamation.

"Your Lordship has been pleased to review the conduct of France in this emergency; and to endeavou set aside the parallel which I attempted in my note, on the ground that that country was animated by a p decidedly hostile to Great Britain. The fact is doubtless so. But it so happens that this only bears with the r force in my favour on the present argument. Had France, being inclined to injure Great Britain, decide recognize the insurgents as a belligerent, it would, according to the doctrine now avowed by Her Maje Government, have been doing no more than was absolutely necessary and altogether justifiable. Why did it take this step at once? Unhappily for the example, Great Britain at the outset insisted upon considering her friendly Power, and called upon her solemnly to desist from any attempt whatever to recognize the presence o insurgent force. In proof of this, I beg permission to quote a brief extract from an historical writer well know have drawn his statements from official sources. Mr. Adolphus says, that in April 1775, that is one year the outbreak of the insurrection, 'the friendly disposition of the French Government towards Great Britain been unequivocally demonstrated; and the expectation that succour would be afforded to the Americans suppressed by an edict prohibiting all intercourse with them.'

"It thus appears that no idea was at that early period entertained by the British authorities of any unfrie disposition on the part of France. So far from being inclined, as your Lordship supposes it might have bee give aid to the insurrection, which since 1774 had been developing its great proportions, by any recognition as a belligerent, the French Sovereign frankly responded to an appeal made by Great Britain, by interdicting people from all relations whatever with the Americans. In other words, the example shows that, on both s there was not the remotest conception that a recognition of insurgents as a belligerent, immediately upon breaking out of the insurrection, could be considered as a justifiable act on the part of a friendly Power."

March 7, 1774. IN March 1774, news arrived in England of the destruction, on the 18th Decem 1773, of the tea contained in the ships lying in Boston harbour. This intellige occasioned a message from the Throne to both Houses of Parliament, in which they w informed that in consequence of the unwarrantable practices carried on in North Amer and particularly of the violent and outrageous proceedings at the town and port of Bos with a view of obstructing the commerce of this kingdom, and upon grounds and preter immediately subversive of its constitution, it was thought fit to lay the whole matter be Parliament, fully confiding, as well in their zeal for the maintenance of His Majes authority as in their attachment to the common interest and welfare of all his dominic that they would not only enable him effectually to take such *measures* as might most lik put an immediate stop to those disorders, but would also take into their most seri consideration what further regulations and permanent provisions might be necessary establish, for better securing the execution of the laws, and the just dependence of Colonies upon the Crown and Parliament of Great Britain.

14 Geo. II, cap. 19. The first measure of coercion adopted by the Government was by the authority of Act of Parliament, which received the Royal assent on the 31st of March, 1774. By Act the Government was empowered to withdraw from the town and port of Boston officers concerned in the collection of Customs, "and to discontinue the landing discharging, lading and shipping of goods, wares and merchandize, at the said town Boston, or within the harbour thereof."

14 Geo. III, cap. 45. This measure was shortly followed by the passing of a further Act (11th May, 177 "for the better regulating the government in the province of Massachusetts Bay." T intention of the Act was to alter the Constitution of that province as it stood upon charter of King William; to take the whole executive power out of the hands of democratic party, and to vest the nomination of Counsellors, Judges, and Magistrates all kinds, including Sheriffs, in the Crown, and in some cases in the King's Governor, all to be removeable at the pleasure of the Crown.

14 Geo. III, cap. 39. On the 6th of May, 1774, "A Bill for the impartial administration of justice in cases of persons questioned for any acts done by them in the execution of the laws, or the suppression of riots and tumults in the province of Massachusetts Bay in N England" passed the House of Commons.

The first of these Acts regarding trade with the town and harbour of Boston, virtu prohibited trade with that port, one of the clauses enacting—

"That if any ship or vessel shall be moored or lie at anchor, or be seen hovering wit the bay, or within one league from the said bay, it shall and may be lawful for

Admiral, Chief, Commander, &c., of His Majesty's fleet or ships of war, or for any officer of His Majesty's Customs, to *compel such ship or vessel to depart to some other port, or to such station as the officer shall appoint, and to use such force for that purpose as shall be found necessary; and if such* ship or vessel shall not depart within six hours after notice for that purpose given, such ship or vessel, with all the goods laden on board, and all the guns, tackle, and furniture, shall be forfeited, whether bulk shall have been broken or not."

Contrary to the expectations of the British Government these measures tended only to the adoption of a determined and united feeling of resistance on the part of the colonists. On the 13th May, 1774, General Gage arrived at Boston to administer the province of Massachusetts Bay. On the arrival of the Boston Port Bill public meetings were held in the various Colonies, which subsequently led to an agreement being framed by the Committee of Correspondence at Boston, entitled a solemn league and covenant, wherein the subscribers bound themselves in the most solemn manner, and in the presence of God, to suspend all commercial intercourse with Great Britain from the last day of the ensuing month of August, until the Boston Port Bill and the other late obnoxious laws were repealed, and the Colony of Massachusetts Bay fully restored to its chartered rights. This agreement led to the issue of a Proclamation by General Gage, in which it was styled an "unlawful, hostile, and traitorous combination, contrary to the allegiance due to the King," &c.

Measures were also adopted by the colonists for holding a general Congress at Philadelphia, which was opened on the 5th September, 1774, the first public act of which was a declaratory resolution expressive of their disposition with respect to the Colony of Massachusetts Bay, and immediately intended to confirm and encourage that people, and to approve of the wisdom and fortitude with which their opposition to the measures adopted by Government had hitherto been conducted.

On the 30th November, 1774, a new Parliament met in Great Britain, and in the speech from the Throne the two Houses were informed that a most daring spirit of resistance and disobedience to the law still existed in the Province of Massachusetts Bay, and had in divers parts of it broke forth in fresh violences of a very criminal nature; that these proceedings had been countenanced and encouraged in others of the Colonies, and unwarrantable attempts made to obstruct the commerce of this Kingdom.

On the 9th February, 1775, a humble Address was presented to the King by Parliament, in reply to the Royal Speech.

In this Address the Parliament stated that "we have taken them [the papers relating to American affairs] into our most serious consideration, and we find that a part of your Majesty's subjects in the province of Massachusetts Bay have proceeded so far as to resist the authority of the supreme Legislature; that a *rebellion* at the time actually existed within the said province; and that they saw, with the utmost concern, that they had been countenanced and encouraged by unlawful combinations and engagements entered into by His Majesty's subjects in several of the other Colonies. . . . . We can never," continued the Address, "so far desert the trust reposed in us as to relinquish any part of the sovereign authority over all your Majesty's dominions which, by law, is vested in your Majesty and the two Houses of Parliament; and the conduct of many persons in several of the Colonies, during the late disturbances, is alone sufficient to convince us how necessary this power is for the protection of the lives and fortunes of your Majesty's subjects. . . . . At the same time we consider it as our indispensable duty humbly to beseech your Majesty that you will take the most effectual measures to enforce due obedience to the laws and authority of the Supreme Legislature; and we beg leave, in the most solemn manner, to assure your Majesty that it is our fixed resolution, at the hazard of our lives and properties, to stand by your Majesty against all rebellious attempts in the maintenance of the just rights of your Majesty and the two Houses of Parliament."

In consequence of this Address, military preparations were made to coerce the colonists; and on the 10th February, 1775, a Bill was also introduced into Parliament, and, after a long debate, received the Royal assent, on the 30th March, 1775 (15 Geo. III, cap. 10). The title of the Act was, "An Act to restrain the Trade and Commerce of the Provinces of Massachusetts Bay and New Hampshire, and Colonies of Connecticut, &c., in North America, to Great Britain, Ireland, and the British Islands in the West Indies, &c."

The Minister, in proposing the Bill, stated that he supported it on the grounds that, as the Americans had refused to trade with Great Britain, *it was but just that Great Britain should not suffer them to trade with any other nation.* By a further Act these restrictions were extended to several other Colonies in North America, which had been omitted in the first Act. 15 Geo. III

By the terms of this Act, all vessels trading with the Colonies were to be furnished with certificates, without which they were liable to seizure by British ships of war and officers of the Customs.

On the 20th May, 1775, Articles of Confederation and perpetual union were entered into by the delegates of the several Colonies of New Hampshire, Massachusetts, &c. A resolution was at the same time passed, that after the expiration of six months (from the 20th July, 1775), all the ports of the said Colonies were declared to be thenceforth open to the ships of every State in Europe that would admit and protect the commerce of the Colonies.*

Although by the above Articles, the colonists usurped the rights of sovereignty with regard to peace and war, the entering into alliances, the appointment of civil and military officers, &c., still their connection with Great Britain was maintained, and no *de facto* independent Government was stablished.

On the 12th June, 1775, General Gage issued a Proclamation, by which a pardon was offered in the King's name to all those who should forthwith lay down their arms, threatening the treatment of *rebels* and traitors to all those who did not accept the proffered pardon. This Proclamation was looked upon as the preliminary to immediate action, and on the 17th June hostilities commenced between the colonists and royal troops in the neighbourhood of Charlestown.

In July 1775, the Confederacy assumed the appellation of the *Thirteen United Colonies*, and General Washington was appointed to the command of the army of the Confederation. Hostilities were carried on, not only in the Colonies, but Canada was also invaded by the Colonial forces.

The first Act of the Congress for the formation of a navy was promulgated on the 13th October, 1775, when two vessels were ordered to be armed, and on the 30th of the same month, two more armed vessels were ordered to be fitted for sea. On the 25th November, 1775, resolutions were passed, directing seizures and capture under commissions obtained from the Congress, together with the condemnation of British vessels *employed in a hostile manner* against the Colonies; the mode of trial and of condemnation was pointed out, and the shares of the prizes were apportioned. On the 28th November, 1775, Congress adopted rules for the regulation of the navy of the *United Colonies*. On the 13th December, a Report was sanctioned for fitting out a naval armament, to consist in the whole of thirteen ships. On the 22nd December, officers were appointed to command the armed vessels.

On the 6th January, 1776, a regulation was adopted relative to the division of prizes and prize money taken by armed vessels.

On the 23rd March, 1776, resolutions were adopted authorizing the fitting out of *private armed vessels*, to cruize against the enemies of the *United Colonies*.

On the 2nd April, 1776, the form of a commission for private armed vessels was agreed upon, and on the 3rd April instructions to the commanders of private armed vessels were considered and adopted. *They authorized the capture of all ships and other vessels belonging to the inhabitants of Great Britain* on the high seas, or between high-water and low-water marks, except vessels bringing persons who intended to reside and settle in the United Colonies.

The whole of these laws were promulgated previously to the final Declaration of Independence issued on the 4th July, 1776.

In the meantime the different Powers of Europe, notwithstanding their declarations of neutrality in the conflict between Great Britain and her Colonies, more particularly France, Spain, and Holland, almost openly expressed their sympathy with the cause of the colonists, and aided them with arms and money, and allowed the fitting out of ships, the repairs and armaments of privateers in their ports, even previously to the receipt of the Declaration of Independence of the Colonies, signed on the 4th July, 1776; the letter from the American Committee of Secret Correspondence to Mr. Silas Deane, their Agent in Paris, inclosing the *Declaration of Independency*, with instructions to make it known to the Powers of Europe, not being received until the 7th of November, 1776.

tre du Comte Vergennes à is XVI, du 2 Mai, 1776.

In March 1776 Mr. S. Deane had been sent to France by the Committee of Secret Correspondence of America† with instructions to communicate in the character of a merchant

* The trade of the British colonies, at this period, was carried on solely by British and colonial shipping.

† This Committee was established by the colonists on the 29th November, 1775, to correspond with the friends of America in other countries. The Committee was denominated the "*Committee of Secret Correspondence*," and continued in operation till April 17, 1777, when the name was changed to that of the "Committee of Foreign Affairs." On the appointment of a Secretary of Foreign Affairs, on the 10th of August, 1781, the Committee was dissolved, and the foreign correspondence from that time went through the hands of the Secretary.

with M. de Vergennes, the French Minister for Foreign Affairs, and to procure through the assistance of that Government a supply of clothing and arms for 25,000 men. Mr. Deane was provided with letters of introduction addressed to various French subjects interested in the success of the colonists. Already, previously to the arrival of Mr. Deane, the French Minister for Foreign Affairs had obtained authority from the King to furnish "un million de livres pour le service des Colonies Anglaises." A M. de Beaumarchais was secretly charged with the disposal of this money for the benefit of the Colonies.

The following particulars regarding the movements of the American ships of war subsequently to the Declaration of Independence of the Colonies have been obtained principally from the "History of the United States' Navy," by Fenimore Cooper, the authenticity of which are, however, sufficiently borne out on reference to the official correspondence of that period.

The "Reprisal" was the first American man-of-war that ever showed herself in Europe. She quitted America not long after the Declaration of Independence, and appeared in France in the autumn of 1776, bringing in with her *several English prizes*. A few privateers had preceded her, and slight difficulties had occurred in relation to some of their prizes* that had gone into Spain; but it is believed that these were the first English captured ships that had entered France since the commencement of the American Revolution. The English Ambassador complained of this infraction of the Treaty between the two countries, but means were found to dispose of the prizes without detection. The "Reprisal" having refitted, soon sailed towards the Bay of Biscay on another cruize. Here she took several English vessels, and among the rest a King's packet that plied between Falmouth and Lisbon. When the cruize was terminated, Captain Wickes went into Nantes, taking his prizes with him. This proceeding caused further representations to be made by the British Ambassador, which resulted in the prizes being ordered to quit France. The "Reprisal," however, was allowed to remain, in consequence of her leaky state. The prizes were taken into the offing, and sold to French purchasers.

In April 1777, the "Lexington" arrived, and the old difficulties were renewed. The American Commissioners in Paris, who had been authorized by their Government to equip vessels, appoint officers, and do other matters to annoy the enemy, now planned a cruize that surpassed anything of the sort that had yet been done in Europe under the American flag. Captain Wickes was directed to proceed to sea with his own vessel (the "Reprisal") and the "Lexington," and to go directly off Ireland, in order to intercept a convoy of linen ships that was expected to sail about that time. The "Dolphin," a cutter which had been purchased and fitted out in France, was also directed to join the squadron.

Captain Wickes quitted Nantes about the commencement of June 1777, and sailed round the coast of Ireland, capturing and destroying many ships, and afterwards returned to France.

The boldness and success of this cruize produced much sensation in England, and the French Government was driven to the necessity of either entirely throwing aside the mask, or of taking some more decided step in relation to these cruizers. Not being prepared for war, it resorted to the latter expedient. The "Reprisal" and "Lexington" were ordered to be seized and held until security was given that they would quit the European seas, while the prizes were ordered to quit France without delay. The latter were accordingly taken outside the port and disposed of to French merchants in the same informal manner as in the previous cases, and the vessels of war prepared to return to America.

While the American Commissioners (Dr. Franklin and Silas Deane) were directing the movements of Captain Wickes in the manner that has been described, they were not idle in other quarters. A small frigate was building at Nantes on their account, and an agent was sent by them to Dover, where he purchased a fast-sailing, English-built cutter, and had her carried across to Dunkirk. Here she was privately equipped as a cruizer, and named the "Surprise," and Captain G. Conyngham was appointed to command her, by filling up a blank commission from John Hancock, the President of the Congress. This commission was dated March 1, 1777. Having obtained his officers and crew in Dunkirk, Captain Conyngham sailed on a cruize about the 1st May, and on the 7th he captured the Harwich packet, "Prince of Orange," with which he returned to Dunkirk.

This proceeding of the "Surprise" called forth the earnest remonstrance of the English Ambassador, and Captain Conyngham and his crew were imprisoned, the cutter seized, and the prizes liberated. The commission of Captain Conyngham was taken from him and sent to Versailles.

* See reference to policy of Spain, page 135.

Notwithstanding these proceedings the American Commissioners purchased and fitted out another cutter at Dunkirk, which was called the "Revenge," and means were found to liberate Captain Conyngham and his people, to whom a new commission was given, doubtless one of those in blank which had been confided to the Commissioners to fill at their discretion.

The "Revenge," under the command of Captain Conyngham, sailed from Dunkirk on the 18th July, 1777, and captured many British vessels, some of which were destroyed, but the most valuable were sent to Spain.

After a cruize of almost unprecedented success as far as injury to British merchants were concerned, the "Revenge" went into Ferrol, refitted, and finally sailed for the American seas.

The characters of the "Surprise" and "Revenge," says Fenimore Cooper, appear never to have been properly understood. In all the accounts of the day, these vessels were spoken of as being privateers authorized to act by the Commissioners in Paris. That the two vessels commanded by Captain Conyngham were public vessels, however, is proved in a variety of ways. Like the "Dolphin," the "Surprise" and "Revenge" were bought and equipped by Agents of the Diplomatic Commissioners of the United States.

Mr. Deane to Mr. Morris; Paris, August 23, 1777.

The sensation produced amongst British merchants by the different cruizes in the European seas was very great; Mr. Deane,* one of the American Agents in Paris, stating that it had caused insurance to rise, and even deterred British merchants from shipping goods in English bottoms, so that in a few weeks *forty sail of French ships* were loading in the Thames on freight.

Insurances in some instances rose as high as 25 per cent., and for a short period 10 per cent. was asked between Dover and Calais.

In 1776, the American Commissioners in Paris, with a view to increase the naval force of the country, caused a frigate of extraordinary size, and of peculiar armament and construction for that period, to be laid down at Amsterdam. This ship had the keel and sides of a two-decker, though frigate-built, and her main deck armament was intended to consist of 32-pounders. She was named the "Indian." In consequence, however, of the apprehension of the Dutch Government, and the jealousy of that of England, the American Congress was induced to make an offering of the "Indian" to Louis XVI, and she was equipped and got ready for sea as a French vessel of war.

This vessel subsequently entered the American service under the following circumstances, and was finally captured after having destroyed a large amount of British shipping.

The following are the circumstances related by Cooper. In 1779 Commodore Gillon was sent to Europe by the State of Carolina, provided with large amounts of Colonial produce, for the purpose of raising funds to purchase ships of war for the American navy. Commodore Gillon, after many unsuccessful attempts to obtain the class of ships he required, finally went to Amsterdam, where he found the "Indian," which vessel, as previously mentioned, had been laid down by the American Commissioners, and subsequently presented to France. She had the dimensions of a small seventy-four, but was a frigate in construction, carrying an armament of twenty-eight thirty-sixes on her gun-deck. This ship, though strictly the property of France, had been lent by Louis XVI to the Duke of Luxemburg, who hired her to the State of South Carolina for three years on condition that the State would insure her, sail her at its own expense, and render to her owner one-fourth of the proceeds of her prizes. Under this singular compact the ship, which was named the "South Carolina" for the occasion, got out of Amsterdam in 1781, and made a successful cruize in the Narrow Seas, sending her prizes into Spain. She afterwards sailed for America, capturing ten sail, with which she went into the Havana.

Cooper states that most of the vessels of South Carolina were purchased, and its seamen were principally obtained, from places out of its limits; Commodore Gillon and Captain Joyner being both natives of Holland.

Having thus given an outline of the proceedings of the American vessels of war in Europe, it will be interesting to refer to the diplomatic correspondence, and also to that of the American Commissioners in Paris.

Mr. S. Deane; Paris, August 18, 1776.

On the 18th of August, 1776, Mr. Silas Deane, who, as before stated, had been sent to Paris as the Agent of the revolted Colonies, and who had arrived in that city about the beginning of July, reported the result of his secret interviews with the French Minister for Foreign Affairs. M. de Vergennes assured Mr. Deane that the importance of American commerce was well known, and that no country could so well supply the Colonies, and

* This letter contains an interesting report on the proceedings of the American cruizers and privateers in France and Spain since their first arrival in the European seas.

eive their produce, as France; for which reason the Court had ordered their ports to kept open and equally free to America as to Britain. With regard to the shipment of ıs, M. de Vergennes stated that considering the good understanding between the two urts of Versailles and London, they could not *openly* encourage the shipment of warlike res, but no obstruction of any kind would be given; if there should, as the Custom-ıses were not fully in their secrets in the matter, such obstructions would be removed the first application.

So satisfied was Mr. Deane with the result of his intercourse with the French Minister, t he stated that he had hopes of obtaining liberty for the armed vessels of the United lonies to dispose of their prizes in the ports of France, and also for the arming and ing-out of vessels of war from thence. He further urged that a few American cruizers ould be sent to the French coast, where they would do very well, as they would find otection in the harbours of the kingdom. Coming ostensibly for the purpose of commerce. stated, no questions would be asked, and they might wait until opportunity offered and en strike something to the purpose.

On the 8th October, 1776, Mr. Deane stated that the French Court, as well as other urts in Europe, had expected that the Declaration of Independence would be formally mmunicated to them. He also urged the necessity of eight or ten American frigates being llected at Bordeaux, where they might have leisure to refit and procure supplies. The pearance of American cruizers in Europe had, he stated, amazed the British merchants, id that insurance would now be on the war establishment; and as the American vessels war would be protected in the ports of France and Spain, the whole of the British mmerce would be exposed. He also prayed that the Committee would forward him *blank mmissions*, or a power to grant commissions to ships of war, as there were many persons ishing for an opportunity for using them in this way. Mr. Deane made frequent applica-ons for *blank commissions*, which were subsequently forwarded to the American Ministers Paris in December 1776.

The first country which appears to have publicly acknowledged the vessels of the Jnited States, as being entitled to belligerent rights, was Spain, under the following ircumstances:—

In September 1776, Captain Lee, commanding the American vessel "Hawke," who n his passage from America had captured some valuable British vessels, went into Bilbao, ot with the prizes, but with the captains and crews of the captured vessels. The British Consul at Bilbao and the captains of the vessels protested, and complained against Captain Lee as a pirate, on which his vessel was detained, and his commission, &c., sent to Madrid y the Spanish authorities.

On the 7th of October, 1776, the Spanish Government directed the Governor of Bilbao to release the "Hawke," and declared "that in consequence of the amity subsisting between His Catholic Majesty and the King of Great Britain, he should maintain a perfect neutrality during the war; that he should not give any aid to the colonists; *but should not deny their being admitted into any ports of his dominions, while they conformed to the laws of the country.*"

On the 26th of September, 1776, Commissioners were appointed by the American Congress, for transacting the business of the United States at the Court of France. The persons chosen were Benjamin Franklin, Silas Deane, and Thomas Jefferson: the latter was subsequently replaced by Arthur Lee. The three Commissioners met in Paris about the middle of December, where they continued to reside, chiefly employed in procuring military supplies and money for the United States, till they signed the Treaty of Alliance with France on the 6th February, 1778. They were presented to the King as Representatives of an independent State, on the 20th March, 1778. Dr. Franklin was appointed Minister Plenipotentiary to the Court of France on the 14th September, 1778, at which time the Commission was dissolved.

In a letter addressed by the Committee to the Commissioners on the 21st September, 1776, they were informed that a Resolution had been passed by Congress, *approving of armed vessels being fitted out by them on continental account, provided the Court of France disliked not the measure; and they were informed that blank commissions for this purpose would be sent to them by the next opportunity.*

The Commissioners arrived in Paris on the 22nd of December, 1776, and on the 28th they were received by M. de Vergennes, the French Minister for Foreign Affairs. They laid before him their commissions, with the Articles of a proposed Treaty of Commerce. In their letter to the Committee reporting their reception, they also stated *that the ports of France, Spain, and Florence (that is, Leghorn in the Mediterranean), were open to the American cruizers upon the usual terms of neutrality.* Commissioners; Paris, January 17, 1777.

In March 1777 the Commissioners reported that the French Court, while treating them Commissioners; Paris, March 12, 1777.

privately with all civility, was cautious of giving umbrage to England, and was therefo desirous of avoiding an open reception and acknowledgment of them, or entering in any formal negotiation with them, as Ministers from the Congress. To make them eas however, they were told that the ports of France were open to their ships as friend Although it was no secret at the time that 200 field-pieces of brass, and 30,000 fusi with other munitions of war in great abundance, had been taken out of the King magazines for exportation to America, the Minister in their presence affected to kn nothing of that operation.

During these Conferences the Commissioners stated that every step was taken gratify England publicly, by attending to the remonstrances of our Ambassador, forbiddi the departure of ships which had military stores on board;* recalling officers who had lea of absence and were going to join the Americans, *and giving strict orders that our priz should not be sold in French ports.*

They also reported that Captain Wickes had made a cruize during the wint (1776-77), and had returned to France with *five prizes*, where they were sold, whi proceeding caused some trouble and uneasiness to the French Court. Money to t amount of 2,000,000 of livres was also supplied to the Commissioners through the Fren Government. Captain Wickes was directed by the Commissioners to make another crui previously to his return to America.

Committee of Foreign Affairs to Commissioners; May 9, 1777.

In May 1777 the Commissioners were directed to purchase in such port or place Europe as it could be done with most convenience and despatch, a fine, fast-sailing frigat or larger ship. They were instructed to place Captain Paul Jones in command of t vessel, and to employ him as they thought best. In June 1777 they reported that the sh building at Amsterdam would be nearly as strong as a seventy-four, and might join t squadron in the months of February or March.

On the 16th July, 1777, M. de Vergennes addressed a letter to the Commissione complaining of the conduct of the American vessels in carrying on hostilities from t French ports, and at the same time informed them that orders had been sent to the ports f their sequestration and detention until sufficient securities could be obtained that th should return directly to their country, and not expose themselves by new acts of hostili to the necessity of seeking asylum in French ports. With regard to the prizes they h orders to go out immediately.

In a letter dated the 30th November, 1777, the Commissioners refer to the difficult arising out of the uncertain policy of the maritime Powers, by which the American priz could not be publicly sold, in consequence of which the purchasers took advantage beat down the price, and sometimes the Admiralty Courts were obliged to lay hold them in consequence of orders from Court, obtained by the English Ambassador.

On the 8th February, 1778, the Commissioners announced the signature of t Treaties of Commerce and Alliance between France and the United States, the announc ment of which subsequently led to hostilities between France and Great Britain.

In consequence of the proceedings of the American privateers in the French port numerous representations were made by Lord Stormont, the British Ambassador at Pari to the French Government, during the years 1776-77; in fact, the correspondence wi France of that period is principally upon that subject.

In a memorial addressed to M. de Vergennes on the 18th March, 1777, the Englis Ambassador made the following demands on the French Government:—

"Il réclame donc l'accomplissement des assurances formelles qui lui ont été donné que le vaisseau Américain commandé par le Sieur Wickes sortirait d'abord du port l'Orient, et qu'il ne lui serait pas permis de croiser sur les côtes de France.

"1. Il demande la restitution immédiate et plenière du paquebot de Falmout vaisseau appartenant au Roi son maître.

"2. Celle des quatre vaisseaux marchands mentionnés dessus appartenant à des suje de Sa Majesté Très Chrétienne. Il demande que cette restitution, *avec la valeur de cet partie des cargaisons qui a été détournée, soit fait d'abord et bonâ fide aux propriétaires.*"

These demands arose out of the capture of five British vessels by the American shi "Reprisal," which had been taken into the port of L'Orient, and there sold, and appear t be the only instance in which the Ambassador made any claim for the value of the cargoes

Notwithstanding these representations, assistance continued to be rendered to th vessels of the colonists in the French ports.

On the 4th July, 1777, Lord Stormont received instructions from his Governmen of which the following is an extract:—

"The proper representations made by your Excellency to the French Minister with respect to the cutter fitting out at Dunkirk, the artillery and military store

* These were afterwards privately permitted to go, or went without permission.

collecting for the use of the rebels, and the several causes of complaint given by their Governors in the West Indies, meet with His Majesty's approbation.

"The inclosed copy of a letter from Whitehaven will show your Excellency that fresh proofs have been lately given of the protection held out to the rebels in the French ports where the three privateers, the 'Reprisal,' the 'Lexington,' and the 'Dolphin,' have been supplied with everything that was necessary to them for their cruise, the last of them wholly fitted out at Nantes, and it appears that after their cruise they returned to some of the ports of France.

"This account, by His Majesty's command, has been taken into consideration by his confidential servants, and their opinion thereon submitted to His Majesty.

"In consequence thereof I am commanded by His Majesty to signify to your Excellency it is his pleasure that you acquaint the French Ministers that, however desirous His Majesty may be to maintain the present peace, he cannot, from his respect to his own honour and his regard to the interest of his trading subjects, submit to such strong and public instances of support and protection shown to the rebels by a nation that at the same time professes in the strongest terms its desire to maintain the present harmony subsisting between the two Crowns. The shelter given to the armed vessels of the rebels, the facility they have of disposing of their prizes by the connivance of Government, and the conveniences allowed them to refit, are such irrefragable proofs of support, that scarcely more could be done if there was an avowed alliance betwixt France and them, and that we were in a state of war with that Kingdom.

"'The avidity of gain will tempt merchants in all countries to do very irregular things, and that avidity may not be easily controlled,' but the private views of the traders of France are not concerned in these transactions otherwise than by buying below their value what is supposed to be sold clandestinely in the case of the prizes carried into the French ports. Such a circumstance cannot weigh with a great State, whose views must be directed by greater considerations. The views of the rebels are evident; they know that the honour of this country, and the proper feelings of the people in general, will not submit to such open violation of solemn Treaties and established laws acknowledged by all nations. The necessary consequence must be a war, which is the object they have in view, and they are not delicate in the choice of means that may bring about an end so much desired by them.

"These reflections, my Lord, your Excellency will communicate to the French Ministers, expressing, at the same time, that an explanation is desired, not a menace intended; but, on full consideration of the present circumstances, they must be satisfied peace, however earnestly wished, cannot be maintained, unless an effectual stop is put to our just causes of complaint.

"Lord Macartney and Governor Shirley have transmitted many depositions on oath to ascertain the complaints, the particular subjects of which have been sent to your Excellency, but I do not trouble you with them, as you need no proofs to be convinced that the French Governors are acting the most unjustifiable conduct in the West Indies, where there is too much reason to suspect they are concerned in the piracies."

In consequence of the seizure of the English vessel "Experience," the English Ambassador addressed the following demand to the French Government on the 8th July, 1777:—

"Que le vaisseau Anglais nommé 'l'Expérience,' et sa cargaison, soient restitués d'abord aux propriétaires ou à leur ayant-cause, et que les capteurs reparent tout le dommage qu'ils ont fait. Il serait superflu d'insister davantage sur la justice de cette demande, en parlant à un Ministère aussi éclairé que celui de France, et c'est à dessein que l'Ambassadeur évite d'appuier sur les circonstances de cette prise; il se bornera à dire que ce bâtiment Anglais étoit à l'avère près du port de Cherbourg quand il a été pris par les pirates Américains, qui sont sortis de ce même port pour s'emparer de ce vaisseau, et qui ont été accompagnés de plusieurs sujets de Sa Majesté très Chrétienne, et même de plusieurs soldats François qui ont été complices de cet attentat."

In reply to those representations M. de Vergennes read a *note verbale* to Lord Stormont, the following extract of which relates to the conduct of the French Government with regard to the privateers which had been admitted into the French ports:—

"C'est d'après cette conviction que le Roi me charge de déclarer à votre Excellence, *que fidèle à l'observation des traités, que Sa Majesté s'attend qui ne seront pas moins exactement observés de la part de l'Angleterre, elle ne permettra rien qui pourrait y déroger;* et que sensible aux plaintes que vous avez eu commission de me porter contre les trois corsaires (Américains) *la 'Représaille,' le 'Lexington'* et *le 'Dolphin,'* lesquels, après avoir eu injonction de sortir des ports de France pour n'y plus revenir, y sont cependant rentrés malgré cette défense; Sa Majesté, bien éloignée d'approuver cette navette que les traités reprouvent, en

est au contraire très-mécontente, et ne peut mieux en témoigner son mécontentement qu'en ordonnant, comme elle le fait, de séquestrer lesdits corsaires dans les ports où ils peuvent être relâchés, pour y être retenus jusqu'à ce qu'on puisse avoir des sûretés suffisantes qu'ils retourneront en droiture dans leur patrie, sans infester de nouveau les mers d'Europe.

"Quant aux prises que ces corsaires ou d'autres peuvent avoir amenées, ou pourront amener par la suite dans nos ports, les ordres sont renouvelés nonseulement pour qu'on n'en permette pas la vente; mais encore pour qu'on les fasse partir aussitôt que le vent et les circonstances du temps pourront le permettre, sans se prêter à aucune des exceptions que la cupidité des vendeurs et des acheteurs est ingénieuse à former; et il est enjoint aux officiers préposés à cet effet, d'y tenir sévèrement la main, sauf à en répondre en leur propre et privé nom. Il leur est pareillement recommandé de veiller soigneusement à ce que les facilités de commerce dont les Américains jouissent dans les ports de France n'excèdent pas celles d'un commerce permis.

"Si quelque sujet Anglais se croit fondé à intenter une action personnelle contre quelqu'un des susdits corsaires, la voie des tribunaux leur est ouverte ici comme en Angleterre. *La loi décide les affaires contentieuses, et jamais l'autorité.*

"Pour ce qui est du '*Dolphin*,' que votre Excellence prétend être un bâtiment Français armé en France avec l'équipage de la même nation, et n'ayant qu'un seul officier Américain, l'examen le plus impartial en sera fait, et si la chose est effectivement telle qu'elle vous a été représentée, il en sera fait justice."

On the 15th of March, 1778, the French Ambassador in London communicated to the English Government the recognition of the independence of the American Colonies, and the Treaties which had been signed between France and the United States, which led to the withdrawal of the English Ambassador from Paris, and to the subsequent hostilities between the two countries without any formal declaration of war.

In 1779 the French Government published an *Exposé des Motifs* of its conduct relative to Great Britain, to which a reply was published by Great Britain, written by the historian Gibbon, and contained in vol. iv of his miscellaneous works. In reply to the latter Memorial, the French Government published a paper entitled "Observations de la Cour de Versailles sur le Mémoire justificatif de la Cour de Londres."* In this paper the following extracts occur in justification of the asylum granted to the American privateers in the French ports:—

"En donnant asile aux Américains, le Roi n'a fait que remplir un des premiers devoirs de l'humanité, en même temps qu'il a exercé un droit inhérent à la souveraineté; droit qui appartient à toutes les nations indépendantes, qui ne peut être restreint que par des Conventions, et dont l'exercice est plus étendu en Angleterre que dans aucun autre Etat de l'Europe. Le Roi n'a eu aucune raison de renoncer à l'exercice de ce droit au préjudice des Américains, parce que cette nation ne l'a jamais offensé; et c'eût été de sa part une tyrannie, une cruauté inouïe que de les expulser de ses Etats, parce qu'ils étaient injustement opprimés par la Grande Bretagne. Des Américains ont séjourné dans plus d'un pays de l'Europe. En est-il aucun d'où ils n'aient été forcés de sortir; aucun où ils n'avaient joui du droit de l'hospitalité; aucun où ils n'aient été aussi tranquilles et aussi surs que dans les provinces les plus reculées de l'Amérique? A quel titre la Cour de Londres prétend-elle donc faire un crime au Roi de n'avoir chassé les Américains de ses Etats?

"Non-seulement le Roi a donné un asile aux Américains, mais il a aussi admis leurs corsaires et leurs prises; et c'est là un des principaux griefs de la Cour de Londres, sur lequel elle s'est appésantie la plus, et qui a fourni la matière la plus ample à ses déclamations et à ses reproches. Mais quelques mots suffiront pour établir les véritables principes sur cette matière, et pour démontrer que le Ministère Anglais les a méconnus volontairement.

"Le Roi est le maître d'admettre dans ses ports les navires de toutes les nations de l'univers. Ce droit s'étend sur les bâtiments de guerre comme sur les bâtiments marchands; et il n'admet de restriction que celles qui sont établis par des Traités. Celui d'Utrecht en renferme relativement aux bâtiments de guerre: l'Article XV porte en substance, 'que les Parties Contractantes' (la France et l'Angleterre) 'ne permettront pas à leurs ennemis respectifs d'armer dans leurs ports, d'y vendre leurs prises, et d'y séjourner au delà du temps requis pour réparer leurs dommages et se pourvoir des choses nécessaires pour être en état de remettre à la mer.' Le Roi a suivi ponctuellement cette conduite par rapport aux corsaires Américains. Sa volonté à cet égard est constatée par les ordres les plus précis, et surtout par leur exécution. Il est vrai que le Ministère Anglais avance *que ces ordres étaient illusoires, qu'ils étaient transgressés ouvertement, impunément et même sous l'autorité*

* See "Droit des Gens;" Martens, vol. i. Causes Célèbres, 1761–88, p. 462.—(F. O. Lib., Oct. 730.)

du Gouvernement: mais cette accusation est une calomnie d'autant plus révoltante qu'elle est contraire à la notoriété publique, constatée même par les gazettes Ministérielles imprimées en Amérique.

"Si l'on prétend que le Roi aurait dû refuser toute retraite aux corsaires Américains, parce qu'il aurait dû les regarder comme pirates, on demande de quel droit le Roi aurait pu les juger tels? Les Américains ne sont point ses sujets: il n'est ni le juge ni l'arbitre des querelles domestiques de l'Angleterre. Il avait adopté la neutralité, et il l'aurait enfreinte de la manière la plus odieuse en prononçant sur l'état des Américains. Ces principes sont certains, et c'est une véritable dérision que de les méconnaître, comme ce serait une adulation, une faiblesse inexcusable que de les violer. La Cour de Londres seule a eu des pirates en mer; ce sont ses bâtiments marchands qui, en pleine paix, ont enlevé des bâtiments Français; et cette Cour ne soutiendra pas sans doute, que ce procédé était contraire à ses ordres ou à ses intentions, puisque les coupables, quoique dénoncés, sont demeurés impunis, et que les navires pris n'ont pas été restitués."

It results from the foregoing statements that no such contrast between the conduct of France on the occasion of the revolt of the British Provinces in 1774, and that of Great Britain on the occasion of the recent insurrection in the United States, as that which Mr. Adams has sought to draw, can really be drawn. Great Britain by no act of hers conferred upon her revolted colonies any belligerent character, or sought to enforce against neutrals belligerent rights; on the contrary, for a long period she dealt with her colonies as revolted provinces by acts of ordinary legislation, and by restrictions on their trade. On the other hand, the United States within a few months after the commencement of the insurrection, conferred upon the Southern States belligerent rights by the Proclamation issued by the President of the United States on the 19th of April, 1861, establishing the blockade of the Southern States, "in pursuance of the laws of the United States and of the Laws of Nations in such cases provided."

Foreign Office, October 30, 1865.

Inclosure 2 in No. 11.

Memorandum respecting Representations made by Mr. Adams of Breaches of Neutrality during the Civil War.

1. "BERMUDA."

August 15, 1861.

Letter acknowledged and referred to Treasury, August 15.

Steamer said to be fitting out for Confederates at Hartlepool. Not a case for interference. Proved to be a blockade runner. North America, No. 1, 1861, pp. 69, 70.

2. "SUMTER."

September 30, 1861.

Complaint of the "Sumter" having been acknowledged as a ship of war at Trinidad by the Governor and the captain of Her Majesty's ship "Cadmus." North America, No. 1, 1861, pp. 82–84.

The circumstances had been already reported, and the opinion of the Law Officers taken (*September* 16), who decided that no irregularity had been committed. Mr. Adams was informed accordingly.

The "Sumter" had run the blockade of the Mississippi, whence she went to Puerto Cabello, and then to Trinidad. She was afterwards laid up at Gibraltar, where she was watched by the United States' steamer "Tuscarora." While at Gibraltar the captain was assassinated by the lieutenant. The ship was dismantled and sold to a British firm in December 1862, and came to Liverpool. Her proceedings there occasioned a subsequent correspondence.

3. ESTABLISHMENT OF A CONFEDERATE DEPOT AT NASSAU.

October 1, 1861.

Letter acknowledged and referred to Colonial Office, October 8.

The allegations in Mr. Adams' letter were denied by Mr. H. Adderley, the person who was stated to have the shipment of the supplies, and Mr. Adams expressed his satisfaction at the denial. (*Mr. Adams, January* 10, 1862.) North America, No. 1, pp. 117, 118.

4. "NASHVILLE."

November 22, 1861.

Acknowledged and referred to Law Officers, November 23.

North America, No. 6; "Tuscarora" and "Nashville."

This was a complaint of the Confederate steamer "Nashville" having been permitted to enter Southampton after destroying the American barque "Harvey Birch."

The "Nashville," which had escaped from Charleston, proved to be regularly commissioned as a ship of war, and was, under the advice of the Law Officers, acknowledged accordingly.

For correspondence as to the proceedings of the "Nashville" and United States' steamer "Tuscarora" at Southampton, see Parliamentary Papers presented 1862.

5. "ORETO," OR "FLORIDA."

February 18, 1862.

Acknowledged and referred to Treasury, February 18.

Alleged to be fitting at Liverpool for the Confederate Service.

The Customs officers reported that she was intended for a merchant-vessel and was stated to be going to Italy. No proof was forthcoming of her equipment, and she sailed, March 22, without any armament on board. On arriving at Nassau she was seized by Her Majesty's ship "Greyhound" for violation of Foreign Enlistment Act. The case was tried in the Vice-Admiralty Court, and the ship released, August 2, 1862. She then ran the blockade of Mobile, and having armed there, escaped again as the "Florida" ship of war, under the command of Captain Maffit.

Her career continued until her seizure in the harbour of Bahia by the United States' ship "Wachusetts," in October 1864.

Reference to Foreign Enlistment Act.

Mr. Adams, March 25, 1862.

In the second representation made by Mr. Adams, March 25, 1862, the following passage occurs, which, as being the first reference to the operation of the Foreign Enlistment Act, may be worthy of remark:—

"It is with the deepest regret that the President directs me to submit to Her Majesty's Government a representation of the unfortunate effect produced upon the minds of the people of the United States from the conviction that nearly all of the assistance that is now obtained from abroad by the persons still in arms against their Government, and which enables them to continue the struggle, comes from the Kingdom of Great Britain and its dependencies. Neither is this impression relieved by the information that the existing municipal laws are found to be insufficient, and do not furnish means of prevention adequate to the emergency."

6. BLOCKADE-RUNNERS LADEN IN ENGLAND.

March 10, 1862.

Letter acknowledged March 13. Referred to Law Officers March 12, who decided (*March* 22) that Her Majesty's Government could not interfere.

7. "EMILY ST. PIERRE."

April 24, 1862.

Acknowledged and referred to Law Officers, April 24.

North America, No. 11, 1862.

A blockade-runner which, after capture, was rescued by her master and two men from the prize crew and brought to Liverpool.

Under advice of Law Officers Her Majesty's Government refused to interfere.

8. "ALABAMA."

June 23, 1862.

Acknowledged, referred to Treasury and Law Officers, June 25.

North America, No. 3, 1863. Custom-house Correspondence, presented 1863. North America, No. 1, 1864. Ditto, No. 3, 1864. Ditto, No. 3, 1865.

A vessel known as the "No. 290," building by Messrs. Laird at Liverpool. Law Officers reported (*June* 30) that there was not sufficient evidence to proceed on, but that the vessel should be watched. The reports received from the Customs were sent to Mr. Adams (*July* 4), with a suggestion that the United States' Consul at Liverpool should procure further proofs of equipment, &c. Mr. Adams acknowledged, and promised to act on, this suggestion (*July* 7). He sent further depositions accordingly (*July* 22 *and* 24), and accompanied the latter letter by an opinion of Mr. Collier in favour of seizure. The Law Officers reported (*July* 29) that she should be seized; but on the morning of the 29th she had sailed from the Mersey, under pretext of a trial trip. A copy of the Law Officers' opinion was sent to the Bahamas in case of the "Alabama" going there. She, however, proceeded to Angra Bay, Azores, where she met the "Bahama" and "Agrippina," with her armament, her Commander, Captain Semmes, and forty-two seamen. She then hoisted the Confederate flag, and sailed for Port Royal, Martinique,

next to Blanco Island (belonging to Venezuela), where she coaled, then to Arcas Keys, then destroyed the United States' ship "Hatteras," off Galveston, and afterwards to Jamaica, where she was received and recognized as a regularly commissioned ship of war.

She continued her depredations at the Cape of Good Hope and elsewhere, until she was finally sunk by the United States' ship "Kearsarge," off Cherbourg, June 19, 1864.

Naval Reserve men dismissed for engaging on board "Alabama."

It having been found that four Naval Reserve men had sailed in the "Alabama," on her first start, their names were erased from the Naval Reserve List. (*Admiralty, February* 27, 1863.)

9. "HECTOR."

November 17, 1862.

Referred to Admiralty, November 18.

This was an inquiry whether the "Hector" was building for Her Majes y's Government; and, after reference to the Admiralty, was answered in the affirmative.

10. THE "GEORGIANA."

January 16, 1863.

Acknowledged and referred to Treasury and Home Office, January 17.

Said to be fitting at Liverpool for Confederates, though Mr. Adams could not divulge the authority on which the statement was made.

The reports from the Customs sent to Mr. Adams on the 18th, 19th, and 27th January went to show that the vessel was not for war purposes.

She sailed on the 21st January for Nassau, and was wrecked in attempting to enter Charleston, March 19, 1863.

11. CONFEDERATE AGENCY IN ENGLAND.

February 9, 1863.

Acknowledged February 12; referred to Law Officers, Treasury, and Home Office, February 23.

This was the case of the intercepted correspondence. North America, No. 8, 1863.

Answered March 9; no cause to interfere.

12. "SUMTER," OR "GIBRALTAR," AT LIVERPOOL.

February 16, 1863.

Referred to Law Officers, February 17.

After her sale at Gibraltar (see No. 2), the "Sumter's" name was changed to the "Gibraltar." Mr. Adams complained of her being refitted for Confederate service. The Law Officers reported March 3, and Mr. Adams was informed, March 9, that there was no case for interference. Customs Correspondence, presented 1863, 1864.

It appeared that guns were shipped on board the "Gibraltar," but they proved to be siege guns. She was wrecked in attempting to enter Charleston in July.

13. PAYMENT OF MEN, LATE OF "ALABAMA," IN ENGLAND. MESSRS. KLINGENDER'S AGENCY.

March 4, 1863.

Acknowledged and referred to Law Officers, March 12, 1863, who decided that no offence had been committed.

14. "PHANTOM" AND "SOUTHERNER."

March 26, 1863.

Acknowledged and referred to Treasury and Home Office March 27, Law Officers June 2.

"*Phantom*" fitting at Liverpool, "*Southerner*" at Stockton-on-Tees. Mr. Adams informed that there was no ground for interference, July 3.

Both vessels proved to be intended for blockade-runners.

15. "ALEXANDRA."

March 30, 1863.

Acknowledged and referred to Law Officers, Treasury, and Home Office, March 31, 1863.

Reports were received from the Treasury on the 31st, and Home Office April 1. On the 4th of April the Law Officers advised seizure.

The trial ended in the discharge of the vessel, and the costs and damages having been compromised for 3,700*l.*, she was delivered to the owners. She was then sent to Nassau, where she was again tried on a similar charge of violation of "Foreign Enlistment Act," and again acquitted. She has remained there ever since, and is now know as the "Mary."

16. THE "VIRGINIA" OR "JAPAN."

April 8, 1863.

Acknowledged and referred to Home Office and Treasury, April 8.

When Mr. Adams complained, this vessel had already sailed from Greenock on the 2nd of April for Alderney. Instructions were sent to the Governor of Guernsey to have her watched. She did not, however, go to the Channel Islands, but went to the coast of France, where she met a small steamer, the "Alar" of Newhaven, off Morlaix, and took from her her crew and equipment. She then apparently went into Cherbourg.

An explanation was furnished to Mr. Adams, April 21, and on the 30th of April the Law Officers reported that no offence under the "Foreign Enlistment Act" had been committed by the "Alar." The "Virginia" was subsequently known as the "Georgia," and her arrival at Liverpool in 1864 occasioned a further correspondence.

17. IRON-CLADS AT LIVERPOOL.

July 11, 1863.

North America, No. 5, 1864.

Acknowledged, and referred to Treasury, Home Office, and Law Officers, July 13.

These vessels, known as the "El Mounassir" and "El Toussoon," and said to have been ordered of Messrs. Laird of Birkenhead by M. Bravay for the Egyptian Government, were seized and eventually purchased for Her Majesty's service.

18. "CANTON" OR "PAMPERO."

October 17, 1863.

Acknowledged, and referred to Treasury, Home Office, and Admiralty, October 19.

This vessel, which was being constructed in the Clyde, nominally as a merchant-ship for the China Trade, was, after inquiry, and under the advice of the Lord Advocate, seized and tried. The Crown took Judgment by default, the case being undefended, and the vessel remained under seizure until the close of the war. (*Lord Advocate, October* 19, 1865.)

19. ALLEGED CONFEDERATE DEPOT AT BERMUDA.

November 3, 1863.

Acknowledged, and referred to Law Officers November 5, who reported (*November* 12) that there was no case for interference. Mr. Adams informed accordingly, November 27.

20. "RAPPAHANNOCK."

November 28, 1863.

Acknowledged November 30; referred to Home Office, Admiralty, Treasury, and Law Officers, November 29.

This vessel, formerly Her Majesty's ship "Victor," had been sold by the Admiralty to Messrs. Coleman in October, but without masts or sails. (*From Admiralty, October* 24; *to Admiralty, October* 24.)

She sailed from Sheerness on the morning of the 25th of November in a very incomplete state, the riggers being still on board, and arrived at Calais on the 26th. These circumstances had already been reported when Mr. Adams' representation was received.

Prosecution of Mr. Rumball.

Mr. Rumball, the head of the outfitting or rigging department at Sheerness Dockyard, was prosecuted for his share in the transaction, but was acquitted on trial at the Queen's Bench on the 4th of February, 1865. He was, however, placed on half-pay. (*To Mr. Adams, March* 8, 1865.)

Intended Prosecution of Messrs. Anson and Brown.

It was also intended to prosecute two other persons, seamen, for engaging men to serve in the "Rappahannock," under the name of the "Scylla," but the prosecution was not carried out, the men having, it is believed, absconded.

The "Rappahannock" remained at Calais until the conclusion of the war, when she was sold to a British firm and brought to England.

21. CONFEDERATE AGENCY AT LIVERPOOL.

December 7, 1863.
Acknowledged December 9, referred to Law Officers December 9.
This was the case of Jones and Co., accused of enlisting men for Confederate service.
The Law Officers advised that J. Jones and R. Highat and their clerk Wilding, and another person named Maltman, should be proceeded against. (*Law Officers, December* 12, 1863.)
The Home Office accordingly proceeded against the two principals at the Spring Assizes; the case was removed by writ of certiorari to the Queen's Bench, where they were both convicted; but certain points were reserved for argument at the next term, and on the 23rd of November, 1864, they were condemned to pay a fine of 50*l.* each.

22. CAPTAIN CATOR.

December 29, 1863.
Acknowledged and referred to Admiralty, December 30, 1863.
This was a complaint that an officer in Her Majesty's navy had been engaged in running the blockade. The Admiralty reported that they had no knowledge of it, and could not interfere. (*December* 31, 1863.)

23. NAVAL RESERVE MEN ENLISTED FOR "FLORIDA" AND "GEORGIA."

January 11, 1864.
Acknowledged January 13; referred to Home Office, January 13.
Three Naval Reserve men who were traced were struck off the list. (*Admiralty, January* 21.)

24. NAVAL RESERVE MEN IN "ALABAMA."

January 13, 1864.
Acknowledged and referred to Home Office, January 14.
Mr. Adams sent a list of nineteen men said to belong to Naval Reserve; but of this number, only three could be traced as actually belonging to it. (*Admiralty, January* 29, *February* 18.)

25. "WILL O' THE WISP."

February 22, 1864.
Acknowledged and referred to Colonial Office, February 25.
This vessel was said to be going to Bermuda to convey stores to the Confederate Government.
No case appeared for interference. (*Colonial Office, May* 16, 1864.)

26. "AMPHION."

March 18, 1864.
Acknowledged and referred to Home Office, March 18.
Said to be equipping for Confederates.
Law Officers reported that no case was made out. (*Law Officers, March* 31.)
She was eventually sent to Copenhagen for sale as a merchant-ship.

27. "HAWK."

April 16, 1864.
Acknowledged and referred to Home Office, Lord Advocate, and Treasury, April 18.
Supposed to be building at Renfrew for Confederates, nominal owner Mr. Begbie.
The case had been already reported on by Customs (*Treasury, April* 4), and the papers sent to the Lord Advocate. On the 13th of April she left the Clyde without a register, and came to Greenhithe. The Law Officers decided (*April* 26) that there was not evidence to warrant detention, and the Treasury were so informed May 6.
She proved to be a blockade-runner. (*Home Office, January* 19, 1865.)

28. ENLISTMENTS FOR THE "RAPPAHANNOCK."

April 16, 1864.
Referred to Law Officers, April 18.

Four persons were charged with these enlistments, viz., Seymour, Cunningham, Buchanan, and Bradshaw. The Law Officers recommended they should be prosecuted. (*Law Officers, April* 28.)

The three first were proceeded against by Home Office (*Home Office, July* 18, 1864, *August* 16, 1864). Seymour pleaded guilty, and was discharged on recognizances to appear when called upon; Cunningham was tried and convicted, and similarly discharged on recognizances of 150*l.*; Buchanan pleaded guilty, and was similarly sentenced; Bradshaw was not prosecuted.

29. "GEORGIA" AT LIVERPOOL.

May 9, 1864.

Acknowledged and referred to Law Officers, May 10.

This vessel, formerly the "Virginia" or "Japan" (see No. 16), arrived at Liverpool under Confederate colours, and Mr. Adams complained of her reception in the character of a ship of war. It was, however, decided that she should be thus received. Soon afterwards she was dismantled and sold to the British firm of Bates and Co., as a merchant-ship. Mr. Adams again complained, July 27, 1864, of her being refitted as a ship of war. This proved to be unfounded. Messrs. Bates sent her out to Portugal, but she was captured by the United States' ship "Niagara," off Lisbon, and taken to the United States as a prize.

Customs Notification against Dismantling or Selling Belligerent Ships in British Ports.

The circumstances of this case gave rise to the Customs Notification of the 11th of August, forbidding the ships of war of the belligerents in America from being dismantled or sold in British ports.

30. ENLISTMENTS FOR "GEORGIA."

May 28, 1864.

Acknowledged June 1, and referred to Home Office June 1.

Prosecution of Campbell.

This was a complaint against a person named Campbell, of Liverpool. Under advice of Law Officers, he was prosecuted by Home Office (*Home Office, June* 16, 1864), and pleaded guilty, and was discharged on recognizances of 150*l.* to appear when called upon.

31. "SHENANDOAH" OR "SEA KING."

November 18, 1864.

Acknowledged November 19.

The case of this vessel had already been reported by Her Majesty's Consul at Teneriffe. The "Sea King," a merchant-vessel of an Indian trading Company, was sent to Funchal, where she was met at Desertas, off Funchal, on the 20th of October, by the "Laurel," Captain Corbett, with armament and crew. The transhipment took place there, and the "Laurel" returned to England, having touched at Funchal, on the 30th of October.

Prosecution of Captain Corbett.

The Law Officers recommended the prosecution of Captain Corbett for his share in inducing men to ship on board the "Shenandoah." The Home Office instituted proceedings accordingly (*Home Office, December* 2, 1864), and the case stands for trial next term.

32. "CITY OF RICHMOND."

January 14, 1865.

Acknowledged January 16; referred to Home Office January 15, and to Law Officers January 19.

This vessel was engaged, as was stated, to carry the crew of the "Florida," who had come to England from Brazil, from London to Nassau. The Law Officers reported that no case was made out. (*Law Officers, January* 20, 1865.)

33. "VIRGINIA" AND "LOUISA ANN FANNY."

January 30, 1865.

Acknowledged and referred to Treasury, February 1, 1865.

Vessels said to be in course of equipment at London.

No case was established, and they both proved to be blockade runners, as reported

the Governor of the Bahamas, who had been instructed to watch their proceedings.
lonial Office, April 19 *and May* 11, 1865.)

34. "HERCULES" AND "AJAX."

February 7, 1865.
Acknowledged and referred to Treasury and Home Office, February 8 and 9.
Both vessels built in the Clyde.
"Ajax" first proceeded to Ireland, and was detained at Queenstown by the mutiny some of the crew, who declared she was for the Confederate service. She was ordingly searched, but proved to be only fitted as a merchant-ship. The Governor of Bahamas was instructed to watch her at Nassau. On her arrival there she was in overhauled, but nothing suspicious discovered, and the Governor reported that she s adapted, and he believed intended, for a tug-boat.
The "Hercules" being still in the Clyde, inquiries were made by the Customs there, o reported that she was undoubtedly a tug-boat and the sister ship to the "Ajax."
Upon receiving this report it was proposed to prosecute the informant, Smith, for jury, but it was found necessary for that purpose to produce the original affidavit, of ich Mr. Adams had only sent a copy. Mr. Adams was, accordingly, written to for it on e 28th of June last, but nothing has since been done in the matter.

Mr. Adams' Representations.

MR. ADAMS' representations may be divided into four classes :—
1. Outfit of vessels for the Confederate navy in British ports.
2. Reception of Confederate war vessels in British ports.
3. Enlistments for the Confederate service.
4. Miscellaneous.

1. *Outfit of Vessels for the Confederate Navy in British Ports.*

1. Outfit of Vessels for the Confederate Navy in British Ports.

It will be seen from the foregoing statement that Mr. Adams complained of no less an nineteen vessels, viz. :—

Names of Vessels complained of.

1. "Bermuda."
2. "Oreto," or "Florida."
3. "Alabama."
4. "Georgiana."
5. "Phantom."
6. "Southerner."
7. "Alexandra."
8. "Virginia," or "Japan" ("Georgia").
9, 10. Iron-clads.
11. "Canton," or "Pampero."
12. "Rappahannock."
13. "Amphion."
14. "Hawk."
15. "Shenandoah," or "Sea King."
16. "Louisa Ann Fanny."
17. "Virginia."
18. "Hercules."
19. "Ajax."

Five vessels which were converted into ships of war.

Of these, five subsequently hoisted the Confederate ensign—
"Oreto" or "Florida."
"Alabama."
"Virginia" or "Japan."
"Rappahannock."
"Shenandoah."

"Oreto" or "Florida."

The "Oreto" or "Florida," besides having been watched by the Customs previously o her leaving England, was seized and tried at Nassau and acquitted. She then an into Mobile, took her armament on board, and through the negligence of the block- ading ship, United States' ship "Oneida" (whose captain, Captain Preble, was dismissed the service in consequence), succeeded in escaping, and issued on her career as a regularly commissioned ship of war, the "Florida."
This vessel, therefore, cannot be said to have been equipped or fitted out in a British port, nor can the British Home or Colonial authorities be accused of any want of activity with regard to her.

"Alabama."

The "Alabama," it is true, succeeded in escaping by a trick on the morning of t very day on which she would have been seized. Her armament was taken on board Terceira, and her first recognition as a Confederate war vessel was in a French (P Royal, Martinique) and not a British port.

"Virginia" or "Japan" ("Georgia").

"Virginia" or "Japan." This vessel, it will have been observed, sailed bef any information of her character had reached Her Majesty's Government, and was, in fa taking in her armament in French waters on the very day on which Mr. Adams' repres tation was dated.

"Rappahannock."

The same thing occurred with regard to the "Rappahannock," which was Calais on the 26th of November, 1863, Mr. Adams' representation not being received u the 28th. In this case, however, the precipitancy with which the vessel was despatch in an incomplete state, to avoid detention, prevented her ever being available for servi and although she had the Confederate flag flying when she entered Calais, she had neit guns nor ammunition on board.

"Shenandoah" or "Sea King."

The "Shenandoah," or "Sea King," escaped in a similar manner to the "Virgini and "Rappahannock;" and the first intimation that was received of her proceedi was from Her Majesty's Consul at Teneriffe, reporting the transfer of crew a armament to her from the "Laurel," at the Desertas, off Funchal. In this case, inde had information been received in time, it is not probable that she could have been detain as she was a regular trading vessel, well known as the "Sea King" in the East In trade.

State of the case as regards these vessels.

In fact, as regards all these five vessels, the case may be shortly stated that, in th instances, information was not received in time for Her Majesty's Government to ta any measures of prevention; in one instance the vessel was equipped and armed in Confederate port, and in the remaining one the ship succeeded in baffling the vigila of the authorities at the very moment of her intended seizure. The "Virginia" ("Georgia the "Alabama," and the "Shenandoah" were alike armed and manned in foreign water

Not a single *armed* ship despatched from any British port.

During the four years of the Civil War from 1861 *to* 1865 *not a single armed ship the Confederate service was despatched from any port either of Great Britain or the Brit Colonies; and only one vessel, the "Alabama," which it could have been possible to deta escaped for conversion into a cruizer.*

Vessels proceeded against in England and at Nassau.

On the other hand, in looking at the preceding list, we see that four vessels w proceeded against in England, and thereby prevented from entering the Confederate servi viz., the "Alexandra," the two iron-clads, and the "Canton" or "Pampero."

Although the prosecution of the first of these was not successful, it served to det her for a long period; and a second prosecution, which was instituted at Nassau, has ke her under seizure until the end of the war; the iron-clads, the most formidable of all t intended cruizers, were thus similarly detained, and eventually purchased to av further litigation; while the "Canton" or "Pampero" was condemned and remain in the hands of the Crown until the occasion for her seizure had passed.

Mr. Adams' information at fault in all the other cases.

The remaining ten vessels denounced by Mr. Adams proved to be ordinary m chantmen, intended chiefly for running the blockade, which is not an offence amenable the law.

To these cases may be added the alleged refit of the "Sumter" at Liverpool, t report of which proved unfounded.

The list includes all the suspected vessels in British ports, with the excepti of two—the "Almandares" and "Pinero," which were alleged, though not by Mr. Adam to be equipping at Montreal. No case was made out. (*Colonial Office, February* 6, 1865.)

When the delay in seizing the "Alabama" is so severely criticised by Mr. Adams must be remembered that in the two preceding representations his information had prov to be erroneous, the "Bermuda" being evidently not intended for a ship of war, a the "Oreto" having been found innocent in a Court of Law. The latter was subsequen converted into a cruizer, but the readiness with which a merchant-vessel can be ma available for belligerent purposes has been shown by the fact that the most efficie blockading ships in the Federal navy were captured blockade-runners.

2. Reception of Confederate Vessels of War in British Ports.

2. *Reception of Confederate Vessels of War in British Ports.*

"Sumter."

"Nashville."

"Sumter." This vessel, the first that appeared in European waters, was, as stat in the Memorandum, regularly commissioned and equipped, and sailed from the Mississip The "Nashville" was likewise of American origin, having sailed from Charleston. S had been intended to bring the Confederate Commissioners to England, but it appeari doubtful whether her tonnage would admit of her crossing Charleston Bar, they proceed by another route. The first case of the destruction of a ship at sea, which was represent

by Mr. Adams, arose out of the destruction of the "Harvey Birch" by the "Nashville." He adduced it as a reason for her not being received in a British port.

Besides these two cruizers, the Confederate Government owned the "Tuscaloosa," a prize of the "Alabama," which was equipped and commissioned from the "Alabama," and with regard to which a correspondence took place at the Cape of Good Hope. The "Talahassee," which escaped from Wilmington, and on her first cruize in six days is said to have destroyed fifty-four vessels. The "Talahassee" was originally the blockade-runner "Atalanta," and ended her career by being reconverted into a merchantman, the "Chameleon," and brought to Liverpool. The "Chicamanga," formerly the blockade-runner "Edith" (*Colonial Office, December* 31, 1864), whose history is obscure, as it does not appear where she sailed from or what became of her. Besides these, there were one or two other small vessels, such as the "Etta" or "Retribution," which made short cruizes from blockaded ports to the Bahamas and West India Islands.

There was also the "Olinde," or "Stonewall," which sailed from Bordeaux, and which, had she been able to enter on her career as a cruizer, would have been a most dangerous adversary.

It will be seen, therefore, that the principal Confederate cruizers were not all of English origin; four of them having been regularly commissioned in Confederate ports, "Sumter," "Nashville," "Florida," and "Talahassee," and one, "Stonewall," having sailed from a French port.

Other Confederat Cruizers.

"Tuscaloosa."

"Talahassee."

"Chicamanga."

"Retribution," a others.

"Olinde."

Consul Barrow, No. 6; February 1865.

3. *Engagement of Men for the Confederate Service.*

2. Engagement Men for the Co federate Service

In each of these cases where evidence could be procured prosecutions were instituted, and where men of the Naval Reserve could be traced their names were erased from the Naval Reserve List.

The cases represented were the following: Jones and Co., engagement of Naval Reserve men on board the "Florida," "Georgia," and "Alabama;" Campbell, of Liverpool; and enlistments for the "Rappahannock."

Names of cases

4. *Miscellaneous.*

4. Miscellaneo

List of cases.

Under this head come the representations respecting the alleged Confederate depôts at Nassau and Bermuda; the proceedings of Confederate Agents in England; the lading of blockade-runners in England; "Emily St. Pierre;" Confederate agency; payment of "Alabama" seamen; Captain Cator's employment in blockade running; the shipment of stores for the Confederate Government in the "Will o' the Wisp;" the conveyance of the Florida seamen to Nassau, in the "City of Richmond;" the reception of the converted "Sumter" or "Gibraltar" at Liverpool; and the sale and conversion of the "Georgia" there.

In none of these cases could Her Majesty's Government interfere.

Summary of Steps taken by Her Majesty's Government.

Summary of taken by He Majesty's Go ment.

THE following is a summary of the steps taken by Her Majesty's Government to prevent or punish breaches of the Queen's neutrality:—

Proceedings taken with regard to Vessels.

Proceedings with regard t Vessels.

Five prosecuted—

1. "Oreto," at Nassau.
2. "Alexandra," in England and at Nassau.
3, 4. Iron-clads.
5. "Canton" or "Pampero."

Also orders given to detain the "Alabama," had she touched at Queenstown or Nassau after her evasion from Liverpool.

North Ameri No. 3, 1863, pp. 11, 12.

The Governor of the Bahamas was likewise instructed to watch other vessels, regarding which representations had been made, as the "Louisa Ann Fanny," &c.

Prosecutions for engagement of men for Confederate service.

Prosecutions Enlistments.

1. Mr. Rumball ("Rappahannock"), acquitted.
2. Jones and Highat ("Georgia" and "Florida"), convicted.
3. Campbell ("Georgia"), convicted.
4. Seymour, Cunningham and Buchanan ("Rappahannock"), convicted.
5. Captain Corbett ("Shenandoah"), case pending.

WHEN it was found that such vessels as the "Rappahannock" and "Amphion," although useless to Her Majesty's navy, might be reconverted into Confederate cruizers, instructions were given that no more ships should be sold out of Her Majesty's navy.

Moreover, when Captain Osborne's fleet returned from China, and it was feared that the vessels composing it might fall into Confederate hands, Her Majesty's Government interposed both in India and in England to prevent their sale.

When the sale and conversion of the "Georgia" was complained of, a Customs notification was published forbidding vessels of war to be sold and dismantled in British ports.

Finally, as will have been shown by the preceding statement, every representation of Mr. Adams was considered immediately on its receipt, and referred, when requisite, to the Law Officers or other Departments of Her Majesty's Government, without even a day's delay.

Foreign Office,
October 30, 1865.

No. 12.

Mr. Adams to the Earl of Clarendon.—(Received November 7.)

My Lord, *Legation of the United States, London, November* 7, 1865.

I HAVE the honour to submit to your consideration the copy of a letter received by me from the Vice-Consul of the United States at Liverpool, touching the arrival yesterday of the vessel known as the "Shenandoah" at that port.

Although necessarily without special instructions relative to this case, I do not hesitate to assume the responsibility of respectfully requesting of Her Majesty's Government to take possession of the said vessel with a view to deliver it into the hands of my Government, in order that it may be properly secured against any renewal of the audacious and lawless proceedings which have hitherto distinguished its career.

I perceive by the terms of the Vice-Consul's letter, that some of the chronometers saved from the vessels which have fallen a prey to this corsair are stated to be now on board. I pray your Lordship that proper measures may be taken to secure them in such manner that they may be returned on claim of the owners to whom they justly belong.

Inasmuch as the ravages of this vessel appear to have been continued long after she ceased to have a belligerent character, even in the eyes of Her Majesty's Government, it may become a question in what light the persons on board and engaged in them are to be viewed before the law. The fact that several of them are British subjects is quite certain. Whilst I do not feel myself prepared at this moment, under imperfect information, to suggest the adoption of any course in regard to them, I trust I may venture to hope that Her Majesty's Government will be induced voluntarily to adopt that which may most satisfy my countrymen, who have been such severe sufferers, of its disposition to do everything in its power to mark its high sense of the flagrant nature of their offences.

I pray, &c.
(Signed) CHARLES FRANCIS ADAMS.

Inclosure in No. 12.

Mr. Wilding to Mr. Adams.

Sir, *United States' Consulate, Liverpool, November* 6, 1865.

I BEG to inform you of the arrival at this port this morning of the pirate steamer "Shenandoah." She is now anchored in the Sloyne in the River Mersey. She arrived with the Confederate flag flying, but lowered it soon after entering the river. She has a crew of 133 men, as near as I have been able to learn, and has on board a number of the chronometers taken from vessels destroyed.

I shall be glad to receive your instructions concerning her.

Very respectfully, I am, &c.
(Signed) H. WILDING.

No. 13.

The Earl of Clarendon to Mr. Adams.

Sir, *Foreign Office, November* 7, 1865.

I HAVE the honour to acknowledge the receipt of your letter of this day, having reference to the arrival at Liverpool of the late Confederate steamer "Shenandoah," and I lose no time in confirming to you officially, what I stated to you yesterday evening privately, that the "Shenandoah" was yesterday given up by her commander to Her Majesty's authorities at Liverpool, and that she is now in the custody of Her Majesty's naval force at that port.

I have to add that the other points adverted to in your letter will receive immediate attention, and I hope shortly to be able to communicate further with you on the subject.

I am, &c.

(Signed) CLARENDON.

No. 14.

The Earl of Clarendon to Mr. Adams.

Sir, *Foreign Office, November* 11, 1865.

I HAVE the honour to state to you in reply to your letter of the 7th instant, that it appears by a communication from the Board of Admiralty, that the "Shenandoah" was on the 10th instant delivered up by the senior naval officer at Liverpool to the United States' Consul at that port with everything on board of her, the Consul being also furnished with the inventories of the stores, &c., as received by the naval authorities from the late commander of the vessel.

With regard to the officers and crew of the "Shenandoah," I have the honour to state to you, that on the arrival of the vessel at Liverpool, it was ascertained that three bad cases of scurvy were on board of her, and that a number of men had symptoms of that disease; and it was therefore necessary that measures should immediately be taken for disposing of the officers and crew.

I need scarcely observe to you that any proceedings against persons in their situation, as indeed is the case with all other persons in this country, must be founded on some definite charge of an offence cognizable by British law, and must be supported by proper legal evidence; and that in the absence of such charge duly supported by evidence, Her Majesty's Government could not assume or exercise the power of keeping any of them under any kind of restraint.

Her Majesty's Government were not in possession of any evidence which could be produced before any Court or Magistrate for the purpose of controverting the statement made to them by the commander of the "Shenandoah" in the letter of which I inclose a copy, or for the purpose of showing that the crime of piracy had in fact been committed by the vessel.

It only remained, therefore, to ascertain whether any of the parties were British subjects, and if so, whether any sufficient evidence could be obtained against them to warrant a prosecution on a charge of violating the provisions of the Foreign Enlistment Act by taking part in hostilities on board the vessel.

Accordingly, the Board of Admiralty were instructed by the Secretary of State for the Home Department to cause the necessary inquiry to be instituted in regard to the presence on board of persons of the last mentioned class, and if evidence could be obtained against any of them, to cause them to be detained and taken before a Magistrate; and to allow the rest to go free.

In pursuance of these instructions, the Senior Naval Officer at Liverpool at once proceeded on board the "Shenandoah," and having mustered the crew, he reports himself to have been "fully satisfied that they were all foreigners, and that there were none known to be British-born subjects on board;" whereupon they were all landed with their effects.

I am, &c.

(Signed) CLARENDON.

Inclosure in No. 14.

Captain Waddell to Earl Russell.—(Received November 7.)

My Lord, "*Shenandoah*," *November* 6, 1865.

I HAVE the honour to announce to your Lordship my arrival in the waters of the Mersey with this vessel, lately a ship of war under my command, belonging to the Confederate States of America.

The singular position in which I find myself placed, and the absence of all precedents on the subject, will, I trust, induce your Lordship to pardon a hasty reference to a few facts connected with the cruize lately made by this ship.

I commissioned the ship in October 1864, under orders from the Naval Department of the Confederate States; and, in pursuance of the same, commenced actively cruizing against the enemy's commerce. My orders directed me to visit certain seas in preference to others; in obedience thereto I found myself in May, June, and July of this year in the Okhotsk Sea and Arctic Ocean. Both places, if not quite isolated, are still so far removed from the ordinary channels of commerce that months would elapse before any news could reach there as to the progress or termination of the American war. In consequence of this awkward circumstance I was engaged in the Arctic Ocean in acts of war as late as the 28th day of June, in ignorance of the serious reverses sustained by our arms in the field, and the obliteration of the Government under whose authority I had been acting.

This intelligence I received for the first time on communicating at sea, on the 2nd of August, with the British barque "Barracouta," of Liverpool, fourteen days from San Francisco. Your Lordship can imagine my surprise at the receipt of such intelligence, and I would have given to it little consideration if an Englishman's opinion did not confirm the war news, though from an enemy's port. I desisted instantly from further acts of war, and determined to suspend further action until I had communicated with an European port, where I would learn if that intelligence were true. It would not have been intelligent in me to convey this vessel to an American port for surrender simply because the Master of the "Barracouta" had said the war "was ended." I was in an embarrassing position; I diligently examined all the law writers at my command, searching a precedent for my guidance in the future control, management, and final disposal of the vessel. I could find none. History is, I believe, without a parallel.

Finding the authority questionable under which I considered this vessel a ship of war, I immediately discontinued crnizing, and shaped my course for the Atlantic Ocean.

As to the ship's disposal, I do not consider that I have any right to destroy her, or any further right to command her. On the contrary, I think that as all the property of Government has reverted, by the fortune of war, to the Government of the United States of North America, that therefore this vessel, inasmuch as it was the property of the Confederate States, should accompany the other property already reverted. I therefore sought this port as a suitable one wherein to "learn the news," and, if I am without a Government, to surrender the ship with her battery, small arms, machinery, stores, tackle, and apparel complete to Her Majesty's Government for such disposition as in its wisdom should be deemed proper.

I have, &c.

(Signed) JAMES J. WADDELL.

No. 15.

Mr. Adams to the Earl of Clarendon.—(Received November 14.)

My Lord, *Legation of the United Stotes, London, November* 14, 1865.

I HAVE the honour to acknowledge the reception of your Lordship's note of the 11th instant, announcing to me the fact the "Shenandoah" had been delivered up by order of the Board of Admiralty to the United States' Consul at Liverpool, together with all her stores, &c., as received from her late Commander. I had already received the same intelligence from the Consul who has taken charge of her under my instructions. I entertain no doubt that the promptness of this proceeding will give great satisfaction to my Government.

But I cannot affect to conceal my disappointment at the manner in which Her Majesty's Government have decided to treat the persons who have been engaged in the nefarious transactions perpetrated in that vessel, and especially the chief, a copy of whose letter was received with your Lordship's note. A narrative of but a portion of these outrages it has already been my duty to submit to your consideration in a series of

voluminous papers, the character of which it is impossible to forget. I shall carefully abstain from any unauthorized word of mine which might tend to make a situation already much too grave still more serious.

A copy of your Lordship's letter, together with its inclosure, shall be transmitted by the earliest opportunity to my Government.

I pray, &c.
(Signed) CHARLES FRANCIS ADAMS.

No. 16.

The Earl of Clarendon to Mr. Adams.

Foreign Office, November 17, 1865.

Sir,

HER Majesty's Government are glad to find by your letter of the 14th instant that you entertain no doubt that the promptness of the proceeding taken by them for the delivery up of the "Shenandoah" will give great satisfaction to the Government of the United States.

With respect, however, to the disappointment which you express as to the manner in which the officers and crew of that vessel have been dealt with by Her Majesty's Government, after having before them the voluminous papers with which you had furnished them showing the character of the proceedings in which they were engaged, I must observe that there was nothing in the depositions and other papers of which you forwarded copies to this office, which, even if it had been capable of being substantiated in evidence in this country by deponents present at Liverpool before the crew of the "Shenandoah" were dispersed, would have tended to show that any capture had been made, or attempted, by Captain Waddell or his crew after, and with notice of, the termination of the war; and I must further observe that even if the case had been otherwise, those papers would not have been receivable as evidence before any magistrate, and that unless some material facts could have been deposed to by one or more witnesses present in this country no magistrate could have kept any persons in custody upon any charge founded upon the statements in those papers.

I may add that if any evidence in support of a charge of piracy had been forthcoming, it was quite as competent for any officer or Agent of the Government of the United States, or even of any private person, to have taken the necessary proceedings before a magistrate, as it was for Her Majesty's Government to do so.

I am, &c.
(Signed) CLARENDON.

No. 17.

The Earl of Clarendon to Mr. Adams.

Foreign Office, November 18, 1865.

Sir,

I HAVE now the honour to reply to the letter which you addressed to my predecessor on the 21st of October last, respecting the proceedings of the late Confederate steamer "Shenandoah" in the Pacific.

But I must, in the first instance, observe that in alluding to the answer given to you by Earl Russell on the 26th of September, 1864, respecting the conduct of the yacht "Deerhound" in rescuing from the sea a portion of the crew of the Confederate steamer "Alabama" after her conflict with the United States' cruizer "Kearsarge," you omit to notice the principal passage in that answer in which Lord Russell says, "In point of fact, however, Her Majesty's Government have no lawful power to arrest and deliver up the persons in question" (that is, the persons rescued from the sinking "Alabama"). "They have been guilty of no offence against the laws of England, and they have committed no act which could bring them within the provisions of the Treaty between Great Britain and the United States for the mutual surrender of offenders; and Her Majesty's Government are, therefore, entirely without any legal means by which, even if they wished to do so, they could comply with your above-mentioned demand," (namely, that those officers and men should now be delivered up to the Government of the United States as escaped prisoners of war).

I may add, that if beyond the limits of British territory the Commander of the "Deerhound" had improperly interfered to protect the officers and crew of the "Alabama" from the belligerent rights of the United States, it was for the Commander of the

"Kearsarge" to use the means in his power for the prevention of such interference. Once upon British soil they were entitled to the protection of British laws, which they had in no respect violated; and Her Majesty's Government could not deprive them of that protection, because of the possibility (whether afterwards realized or not) that they might again leave this country and become engaged in further hostilities with the United States. The demand for their delivery up, which was made by you, was, in fact, identical with one which had at various times been made by foreign Governments for the extradition or expulsion of other foreign refuges—Poles, Hungarians, and others; and to which the invariable answer had been that the laws of this country did not empower the Government to take any such measure. The answer to every such demand is found in the fundamental institutions of this country, in the law of *habeas corpus*, and of trial by jury. If any evidence had been offered to Her Majesty's Government identifying any of those persons as British subjects, who had unlawfully enlisted in the service of the Confederate States, or who were guilty of any other violation of our laws, they would have been duly prosecuted; but no such evidence was brought forward.

The case of the "Deerhound," therefore, furnishes, when examined, no materials for complaint against Her Majesty's Government.

The next subject of complaint preferred by you is the conduct of Her Majesty's Government in not preventing the vessel called the "Sea King" from leaving the shores of England to join another vessel called the "Laurel," which was sent to meet her near Madeira with arms and ammunition.

You do not affirm that Her Majesty's Government had any power or jurisdiction over either of these vessels when beyond the limits of British territory; but, unless that assertion be made or implied, the complaint falls to the ground. For, while these vessels were in British waters, no information was given (much less was any evidence offered) to Her Majesty's Government to show that any persons concerned in their outfit or equipment were guilty of, or were contemplating, any infringement of the "Foreign Enlistment Act," or of any other law in force in the United Kingdom, nor even that they were suspected of being engaged in any design whatever, hostile or dangerous to the United States.

Your complaint, indeed, is against the general laws of this country. The executive power of the British Crown does not, nor does the executive power (as the Act of Congress of 1818 is understood in this country) of the United States, extend to the detention and seizure of an unarmed merchant vessel, on the mere suspicion that she will or may be armed at sea in the waters of a foreign Power.

Under the municipal law of this country (which goes at least as far as any obligation which may be supposed to attach to it under the law of nations) the British Government is able to detain and prosecute natural-born British subjects who may enter into the war service of a foreign Power without the licence of the Crown, or who within Her Majesty's dominions may fit out, arm, or equip (or attempt to fit out, arm, or equip), vessels to cruize or commit hostilities against any State in amity with Her Majesty. But the British laws do not, and cannot effectually reach subjects of Her Majesty who may go to a foreign State, and there enter into any kind of naval or military service. You are well aware that many subjects of Her Majesty have gone from this country to the United States, and have there, during the present war, entered into the military service of the United States, and fought against the armies of the Confederates, contrary to Her Majesty's Proclamation.

Such occurrences as these, the law of England (and, Her Majesty's Government believe, the law of the United States) cannot prevent, and has very rarely the power to punish. It is obvious (as you indeed admit) that the law which prohibits the equipment of vessels destined to make war on States with which Her Majesty is at peace, may, like most other human laws, be evaded. No human means can in all cases effectually prevent individuals from purchasing or otherwise acquiring a vessel with the secret intention of arming her beyond the territorial limits of the country, and then cruizing against a State with whom Her Majesty is at peace, or from successfully executing that intention. It is distinctly denied that the Government of any State is, upon any recognized principle of international law, responsible for such an event.

Feeling, as it would seem, that for the equipment and armament of the "Shenandoah" no original responsibility can reasonably be cast on Her Majesty's Government, you represent as the main substance of this part of your complaint, that this vessel, after she had been equipped and commissioned, was recognized by Her Majesty's Government as a public ship of war of a lawful belligerent, and was admitted as such into British ports.

This is in truth nothing more than the often repeated objection to the course adopted by Her Majesty's Government, in recognizing both parties in the late war as belligerents, and (if belligerents at all) then as belligerents wherever they were found actually carrying

on war, whether by sea or by land. You are of course aware that the "Sea King" was transferred, when beyond the territory of Her Majesty, to the agents of the Confederate States, and from them (while still beyond Her Majesty's territory) received a commission as a ship of war, under the name of the "Shenandoah." It was a necessary consequence of the principle of neutrality, and of the recognition of the state of war (by virtue of which alone the blockade was enforced with so much severity against neutrals by the United States), that the validity, for the purposes of the war, of such a commission should be recognized by the Government of this country.

The supplies given to this vessel, and the hospitality afforded to her in a British port during the continuance of the war, were merely the same which were always afforded to the vessels of war of the United States: to refuse them, in such a case, would have been not to vindicate, but to depart from the neutrality declared by Her Majesty. If the fact were (as you suggest) that the supplies so afforded had the effect of enabling the "Shenandoah" to continue hostilities after the Confederate States had ceased to be belligerents, it is obvious that such an occurrence might equally take place in any other case, in which a ship of war of any belligerent nation, having taken in ordinary supplies at a neutral port, might continue hostilities after the restoration of peace, either through ignorance of that fact or from any less excusable motive.

So far, then, as your objection to the enjoyment of belligerent rights by the "Shenandoah" in the ports of Great Britain is founded on the allegation of her original illegal equipment, I have already sufficiently pointed out that the circumstances of her equipment were not such as in the eye of the English law, or consequently in the view of the English Government, could be regarded as illegal. She was, therefore, as long as the war subsisted naturally treated on the same footing as any other vessel of a recognized belligerent Power.

But even had the case been otherwise, and had her equipment and origin been undoubtedly illegal, I should have experienced hardly less surprise at the claim put forward on behalf of the United States in the following sentence of your despatch:—

"In consenting to receive the vessel after the facts of its illegal origin and outfit had been satisfactorily established, I cannot resist the conviction that Her Majesty's Government assumed a responsibility for all the damage which it has done."

If I needed (which in this case I do not) to find an answer to a claim founded upon such principles, I should have to seek no further than the records of recent American law, and the practice of modern American statesmen. In that chapter of American history which has lately become familiar in these discussions, relating to the transactions which arose out of the revolt of the South American Republics, will be found a complete refutation from American authorities of the doctrine on which you now appear to insist.

As you are well aware, numerous vessels of war were fitted and refitted under the commission of the revolted States in the ports of the United States to cruize against the commerce of Spain and Portugal. These vessels started on their original voyage, manned and armed in the ports, and by the subjects, of the United States, and returned to the same ports over and over again, after repeated cruizes. Though the fact of the illegal origin and equipment of such vessels was established, not by vague surmise or *ex parte* statement, but (in several instances) by judicial proof adduced in suits instituted for the restoration of their prizes when brought within the neutral jurisdiction, the Government of the United States does not appear ever to have taken any step for the purpose of excluding any of those vessels from the full and unrestricted enjoyment, within their own ports or elsewhere, of the same rights (with the single exception of the right to retain prizes brought in) which it accorded to any other ships of war of a belligerent Power.

Nevertheless, so far from admitting that by such conduct, as you now contend, they "assumed a responsibility for all the damage done" by such vessels, your Government distinctly repudiated any such responsibility when urged upon them by arguments almost identical with those on which you now rely.

While admitting that several prosecutions have been instituted by Her Majesty's Government against persons amenable to British law, who had been shown by probable evidence to have been guilty of violating the Foreign Enlistment Act (Captain Corbett, of the "Sea King," to whom you refer as having never been brought to trial, is awaiting his trial at the present moment), you make it, nevertheless, matter of complaint that no legal proceedings have been taken against any of the Confederate agents in this country, under whose direction and management various operations, in abuse of Her Majesty's neutrality, are said to have been conducted.

But no information supported by evidence on which a prosecution could be judiciously instituted, or successfully maintained, has ever been laid before Her Majesty's Government

for the purpose of showing that the laws of this country were, in fact, so violated by any of those persons.

You are well aware of the extent to which not only municipal, but also international, law permits either of two belligerents to avail themselves of the resources of a neutral country, by mercantile agencies, by loans of money, and by the purchase and shipment of every kind of munitions of war, without giving to the other belligerent any cause of complaint against the country where such operations are carried on. Full advantage has been taken of this state of international law by the United States themselves during the recent contest.

If, in addition to operations of this nature, the Confederate agents in this country superintended or directed other designs involving the violation of our laws, they were careful (as it might be expected they would be) to keep their participation in any such illegal acts as far as possible out of sight. The agency of Captain Bullock for the Confederate Government was, indeed, to some extent disclosed by parts of the evidence relating to ships which were the subject of actual or contemplated proceedings by Her Majesty's Government, but not in such a manner nor to such an extent as to make it probable, in the judgment of Her Majesty's Advisers, that if proceedings had been instituted against him personally, they would have been attended with a successful result.

You refer, indeed, to the recent transmission, under the orders of Her Majesty's Government, of Captain Bullock's letter to the Commander of the "Shenandoah," directing him to cease from the further prosecution of hostilities, as proof that Her Majesty's Government have, at least in one instance, considered themselves to be in possession of sufficient evidence of Captain Bullock's authority to control or prevent such hostilities. But it is not clear that proof, even of the extent and kind of authority assumed in that letter, over the "Shenandoah" when at sea, would have supplied the want of further evidence of any infringement, alleged to have been committed by Captain Bullock, of the laws of this country. Your surprise, however, on hearing of that circumstance, as well as the inference which you draw from it, of the previous possession of evidence against Captain Bullock by Her Majesty's Government, will, I hope cease, when you learn that this letter was transmitted by Her Majesty's Government in compliance with the request of Mr. Mason (the known accredited Agent in Europe of the Confederate States), made to Earl Russell in a letter dated the 20th June last, after the conclusion of the war.

Whatever might have been the extent of the previous knowledge or ignorance of Her Majesty's Government with respect to the acts of Captain Bullock, they were entitled to believe, on Mr. Mason's authority, that the letter sent by him for transmission would be effectual for its intended purpose; in which, being a purpose of humanity, especially beneficial to the United States, Her Majesty's Government felt they might safely endeavour so far to co-operate, without any risk of being misunderstood by the United States' Government.

I am, &c.
(Signed) CLARENDON.

No. 18.

Mr. Adams to the Earl of Clarendon.—(*Received November* 18.)

My Lord, *Legation of the United States, London, November* 18, 1865.

I HAVE the honour to acknowledge the reception of a note from your predecessor, the Right Honourable Earl Russell, dated the 2nd instant, in reply to one which I addressed to him on the 18th of September last, on certain important questions now under consideration between Her Majesty's Government and that which I have the honour to represent.

It is with the most profound regret that I am thus compelled to open my relations with your Lordship in a spirit of controversy. I can only urge in extenuation of this proceeding the great importance of the subjects under consideration, not simply as between two countries, but from their wider bearing on the future relations of all the civilized nations on the globe. Furthermore, I flatter myself that, from the contraction necessarily going on of the topics under treatment, we may, before long, arrive at some sort of termination of a discussion already, on my part, I fear, rather tediously protracted.

His Lordship's note appears to be substantially confined to the consideration of two classes of facts, both of them bearing upon the establishment of one general principle of the law of nations, to wit: the obligation of a neutral country to belligerents to do everything within its power to maintain its neutrality inviolate. This obligation his Lordship

appears to maintain to be fully acquitted by the adoption of such measures as the neutral itself may judge sufficient, without regard to any remonstrances of the belligerent. And, without entering into argument on the abstract question, he contents himself with vouching in the conduct of the United States in past cases, in full justification of the course taken by Great Britain, and complained of by the United States in the progress of the late war. The chief of the cases relied upon by his Lordship is that in regard to certain claims for indemnity for injuries done to the commerce of Portugal by vessels illegally fitted-out in the United States.

In order to define the nature of the question thus raised, it would seem to be proper first to note how far his Lordship and I are agreed. After which, it may be made more clearly to appear wherein we are so unfortunate as to differ.

By consenting to cite the language and the action of the United States' Government in the Portuguese case so freely as his Lordship does, as a precedent to justify the later course of Her Majesty's Government now drawn into question, it is obvious that he must have given to them the high sanction of his approbation.

On my side, I have already, in a preceding note, expressed it as my opinion that the grounds taken in that case by my Government were impregnable.

It necessarily follows that, on this point, we are fully agreed. Where there is no difference it is obviously superfluous to continue an argument.

Here I would beg permission to observe that in all the previous examination of this topic, I have carefully abstained from the task of affirming that a neutral Power is absolutely responsible for the injurious consequences of any and every violation of neutrality that may originate within its territorial limits, without regard to the circumstances attending each case. The proposition which I have affirmed, and still do continue to insist upon, is, that a neutral is responsible for all injuries which may so ensue to a friendly nation when it fails to exercise all the means in its power for prevention, and constitues itself the sole judge of the extent to which it will refuse to resort to stronger ones within its reach, when the old ones are proved by the injured party to have been wholly inadequate to the emergency.

With the light shed by this explanation, I now propose very briefly to set forth those points in the respective action of the United States towards Portugal and of Great Britain towards the United States, wherein they appear to me to differ so essentially and radically as to make it impossible to bring them within a reasonable parallel:—

1. The United States did not recognize the insurgents in South America as a belligerent until the fact of the presence of their armed vessels was made patent to them on the ocean.

But Great Britain did erect the insurgents in the United States into a belligerent before they showed a vessel on the sea, before they organized an army on land, and before they had done a thing but declare an intention to do what they never subsequently executed.

2. Upon the first notice given to the Government of the United States that the neutrality of their ports was violated by South American insurgents making outfits in connection with their own citizens, they immediately put in force the provisions of the existing law; prosecutions were instituted against the foreign agents, as well as citizens; and decrees of restitution were obtained from the judicial tribunals in the cases of captured property. In other words, nothing was left undone that energy could do to bring to bear existing preventive legislation against these offenders.

One particular instance of the desire to perform these obligations is worthy to be presented to your notice, more particularly inasmuch as it incidentally explains as well the public sense of the extent of the obligation of a neutral Power in similar cases, as of the responsibility entailed from an insufficient performance of it.

It appears that some of the insurgent emissaries, in conjunction with desperate adventurers of the United States, went to the extent of seizing and occupying two different spots on the American coast, neither of them within the recognized jurisdiction of the Union, nor yet within that of any responsible Power. Here they made bases from which to conduct their hostile operations against the commerce of Spain and Portugal, very much in the manner, but not nearly with so much success, as Liverpool in this kingdom and the port of Nassau were made bases of, against the commerce of the United States, by insurgent emissaries during the late war. These proceedings soon attracted the attention of the President, who dwelt upon the necessity of adopting prompt measures of prevention in his annual recommendations to Congress in the year 1817. The matter was referred in course to the consideration of a Committee of the House of Representatives, which made a Report recommending that these establishments should be at once suppressed by force, if necessary.

Among the reasons given for resorting to this summary proceeding are the following, to which I ask a moment of your Lordship's attention :—

"The immediate tendency of suffering such armaments, in defiance of our laws, would have been to embroil the United States with all the nations whose commerce with our country was suffering under these depredations; and if not checked by all the means in the power of the Government, would have authorized claims from the subjects of foreign Governments for indemnities at the expense of this nation, for captures by our people in vessels fitted out in our ports, and, as could not fail of being alleged, countenanced by the very neglect of the necessary means of suppressing them."

It would be difficult to express in more forcible language the principle established by the law of nations than is done in these sentences. The action recommended was, moreover, performed so promptly that soon afterwards the President, in a special Message, was enabled to announce that the piratical establishments at Amelia Island and at Galveston had been suppressed. The paramount necessity had been thought to justify the exercise of power even over territory not within the national jurisdiction.

But when I turn my attention to the proceedings of Her Majesty's Government as they are noted in the dreary list of my representations and complaints contained in the printed Memorandum furnished to me with his Lordship's note of the 2nd instant; when I perceive real justice to have been so seldom done and so often defeated, however good the intentions may have been; when I note the omission of all reference to the endless remonstrances made by myself against the establishment of a naval bureau in Liverpool, conducted by insurgents mentioned and particularized by name, because not a single step was ever taken either to prevent their action or to punish them, I cannot but be sensible of a difference in the preventive action of the two countries in similar circumstances, which which would ever forbid me from classing them together in one connection for a single moment.

3. It is not, however, denied that, in the one case as in the other, several cases of illegal outfits took place which the existing laws proved inefficient to prevent or punish.

In that of the United States the Representative of the aggrieved Power made at once a direct appeal to the Government, stating the cause of the difficulty, and soliciting a new movement for the purpose of obtaining from the requisite source stronger powers of prevention; to which that Government immediately responded by recognizing the justice of the complaint, and at once adopting the suggestion.

If Her Majesty's Government has at any time in this struggle followed that example, it has escaped my observation. I should be glad to be corrected when I affirm that it has done the directly opposite thing.

Here I may be permitted for a moment to refer to a passage of his Lordship's note, which appears to have been called out by a hypothetical description I ventured to give of the consequences that might ensue to the world if neutral nations constituted themselves the sole judges of the degree in which they had done their duty under a code of their own making. To this phrase his Lordship is pleased to retort as follows :—"Yet, as far as I can judge, your Secretaries of State always maintained that the United States, as a neutral Power, were the sole judges of the degree in which it had done its duty under a code of its own making."

To which I would beg permission to observe that his Lordship can scarcely presume me to maintain that, in the literal sense, my country does not make its own code of laws. What I did mean to do, was to distinguish by this term a country which was ready to accept suggestions from foreign Powers, for an improvement of a code designed to give them the protection they are entitled to by Treaties as well as international law, from one which determined to abide by its own system without regard to external representations. By keeping in mind this distinction, in connection with the facts already stated of the action of my Government, it will then appear that his Lordship is in error when he declares that "our Secretaries of State" (meaning those of the United States) "made themselves the sole judges of the degree in which the country had done its duty under a code of their own making." So far was this from being true that they admitted that the country had not done its full duty, and they proceeded to amend the code at the suggestion of a foreign Power that claimed to be aggrieved. Hence it is that the "code" was "not of their own making."

If there be a shadow of doubt left on this point I will proceed to disperse it by the following extracts.

On the 20th of December, 1816, M. Correa de Serra addresses these words to the Secretary of State :—

"I apply, therefore, to this Government, in the present instance, not to raise altercations, or to require satisfaction which the Constitution of the United States has not

perhaps enabled them to give, but because I know that the supreme Executive of this nation, all-powerful when supported by law, is constitutionally inactive when unsupported by law. What I solicit of him is the proposition to Congress of such provisions by law as will prevent such attempts for the future."

To which application Mr. Monroe, then Secretary of State, replies as follows on the 27th of December, 1816 :—

"I have communicated your letter to the President, and have now the honour to transmit to you a copy of a Message which he has addressed to Congress on the subject, with a view to obtain such an extension, by law, of the executive power, as will be necessary to preserve the strict neutrality of the United States in the existing war between Spain and the Spanish Colonies, and effectually to guard against the danger in regard to the vessels of your Sovereign, which you have anticipated."

And on the 13th of March, Mr. Rush, then Acting Secretary, writes to him as follows :—

"The Act of Congress passed on the 3rd of this month, to preserve more effectually the neutral relations of the United States, being upon the subject brought under consideration in your letter to this Department of the 20th of December last, I have the honour, by direction of the President, to transmit for your information the inclosed copy of it.

"The President feels sure that your Sovereign will perceive in the spirit and scope of its' provisions, a distinguished proof of the desire which animates this nation to maintain with his dominions and subjects the most harmonious relations."

But when I turn to the other side of the picture and view the action which Her Majesty's Government has thought it proper to take in answer to similar representations made by me on behalf of my Government; when I observe that the appeals to the existing law have been almost uniformly of a kind to prove its utter inefficacy; and when, upon my making representations as to the expediency of further legislation to enlarge the powers of the Government to an extent adequate to the emergency, I find that proposal positively declined, it seems to me that here again the parallel sought to be made utterly fails.

I would respectfully ask whether in the correspondence just laid before your Lordship, there be any language similar to that which his Lordship, in one of the notes which he did me the honour to address me, used to me :—

"Surely we are not bound to go on making new laws *ad infinitum*, because new occasions arise."

Here I would respectfully submit that if his Lordship be right in his assertion that new laws *ad infinitum* are not required by new occasions, it is difficult to explain the reason for the existence of so many legislative bodies and such multiplied statute books. Surely the Government which I represent would not have so repeatedly acceded to the solicitations of Her Majesty's Government as it has done, to "make new laws for new occasions," under any other plea.

But I am in candour bound to observe that, even in this doctrine, there has been during the late struggle a singular variation in the practice of Her Majesty's Government, which I ask your Lordship's permission to point out.

At a very early date the exposed nature of the frontier bordering upon Canada became so much a subject of anxiety to my Government that I was instructed to bring the matter to the attention of his Lordship, with a view to the establishment of more effective preventive measures on the Canadian side than were thought to be then within reach. To that end, in the early part of December 1863, in a conversation which I had the honour to hold with his Lordship, after explaining the reasons of my Government for the danger apprehended in this quarter, I proceeded to propose the adoption of a form of law on the part of Canada resembling that which had been enacted on our part in 1838 to meet a similar emergency then happening there. It is true that for a considerable period I had no reason to presume that this proposal had been more favourably received than any other of the same kind I had been called to make. But when, one year later, information was received of the extreme peril into which Canada had been thrown by the violent enterprise executed by some of the insurgents established in that Province, upon the peaceful town of St. Alban's, I then had the satisfaction of learning from his Lordship that the suggestion had been adopted so far as that Her Majesty's Government had recommended to the authorities of Canada to procure the enactment of the suggested law.

In this case, then, it is clear that the imminent danger of a rupture between the two countries had brought on an acknowledgment of the necessity of going on to "make a new law to meet a new occasion." But surely Her Majesty's Government would not be willing to give even a colour to an inference that nothing but a necessity to avoid a war would be a

sufficient motive to induce it to recognize an obligation to make a new law. If the reasons for the suggestion were equally valid in all cases, I fail to perceive upon what principle the nature of the answer should be made to depend upon the merely accidental pressure of the circumstances attending the moment when it was made.

Without pressing this topic further, I would then beg to observe, that in any event, however the facts attending the Portuguese claim as now explained may be viewed, one thing is indisputable, and that is, that there is a wide divergency in the nature of the two cases sought to be brought together. It is plain that neither in the commencement nor in the proceedings under the existing laws, nor yet in the mode of treating the suggestion of new legislation, was there any resemblance whatever in the tone or the action of the respective Governments. Hence I am constrained to arrive at the conclusion that whatever may be thought of the conduct of the Government of the United States in its relations towards Portugal, there is no parallel to it in that of Great Britain towards the United States, by which the latter may be tested in the way of justification. Considered as a precedent, for which alone the case seems to have been quoted by his Lordship, I must insist that the evidence entirely fails to establish its authority.

On a general review of these marked differences, considered in the light of the rule of international law laid down at the outset of this letter, it may now be said that one Government appears to have done all that it was reasonably asked to do, and that it could do, to preserve its neutrality, whilst the other certainly could have done more, but deliberately refused, and accepted the responsibility of that refusal.

Hence, I must respectfully submit that before his Lordship concludes to adopt the language used by the United States in answer to Portugal, he should be prepared with proof to show that he has likewise adopted the action on which they based it.

I should here gladly close my portion of this long controversy if it were not that his Lordship has, in his note to which I now have the honour to reply, thought fit to open a new matter which I cannot decline to notice.

It has happened in the course of this extended discussion that he has, on more than one occasion, deigned to give me the fruits of his examination of various points of history in my own country. In the first instance, his Lordship was pleased to apprize me that Spain had never received any compensation for the claims of her citizens against the United States. By the aid of a little light I think I succeeded in dispersing that illusion, so that it has not been made to appear again. Again, his Lordship was pleased to inform me that the Enlistment Acts of the respective countries were in their main provisions similar and coextensive. Here I respectfully pointed out to his attention the fact that certain important provisions were contained in the one that were not to be found in the other; provisions which we, at least, regarded as having proved in practice the most efficient in the whole law.

His Lordship, in the note to which I am now replying, has been kind enough to take notice of this difference, and goes on to describe the nature of the provisions he had overlooked; but it appears to be only for the purpose of trying to convince me that in my statement of their superior efficacy I am utterly wrong. Hence, the argument appears to follow somewhat after this fashion: his Lordship having proved to his satisfaction that those provisions of the law which Her Majesty's Government did not adopt were as susceptible of evasion as all the others which it did adopt, it must necessarily follow that Her Majesty's Government were fully justified in declining a proposal to make any amendment whatever of its existing statute.

To which I would respectfully venture to reply that even had the result proved to be as supposed, yet the position of Her Majesty's Government, if it had consented to make the experiment, would have been, at least to my eye, infinitely stronger than it is now. It might then have replied to all complaints, as the United States replied to Portugal, that everything in its power had been done, even to the extent desired by the complaining party. Whereas, by a refusal to recognise the justice of the request, it appears to have placed itself in the attitude of a party deliberately assuming the responsibility of declining to use those powers legitimately within its reach, wherewith to fulfil its most imperative obligations.

But I am constrained to go further, and affirm that I can by no means subscribe to the opinion which his Lordship is pleased to express as to the ineffective nature of the provisions of the law to which he has referred. It is not without extreme surprise that I find him use the precise language respecting it which I beg permission here to quote:—

"Now I contend, first, that for ten years these provisions proved utterly inefficacious to prevent the fitting out of privateers at Baltimore, as shown by the fact that the complaints of the Portuguese Ministers of captures and plundering by American privateers were more

frequent, and extended to a larger amount of property after 1818, than they had done from 1816 to 1818."

It is difficult for me to describe the high degree of astonishment with which I have read these lines.

In opposition to this grave affirmation of facts, which I must beg leave to observe no attempt is made to sustain by any distinct evidence, I am driven to take the liberty to affirm on my own side, first, that there is not a tittle of specification to show that the fitting out of privateers continued in any appreciable sense for ten years after the year 1818; and, secondly, that no pretence of that kind is to be found in any of the official remonstrances of the Representatives of Portugal to which I have had access, with one single exception, which I propose presently to notice.

In relation to the point of the efficiency of the law, I shall venture, in opposition to his Lordship's reasoning as to what it might be, to confront that which, in the mind of M. Correa de Serra, the person through whom all the transactions passed during much the largest part of the period in question, and who had every opportunity to be familiar with them, it really was.

On the 4th of February, 1819, about two years after it had gone into operation, he deliberately used the following language :—

"This law, so honourable to the spirit of justice of the Government that enacted it, has also been found in practice the most useful of the laws existing on this subject. Unhappily the continuance and recent aggravations of the evil it was intended to remedy, seem to render it necessary that this law may still continue in force for some time.

"I apply, therefore, to this Government in order to obtain the continuance of this law, so necessary to the peaceful trade of the subjects of my Sovereign, and so honourable to the character of the United States, perfectly confident that my request is according to the just and friendly intentions of the Chief Magistrate and Legislators of the Union, and conducive to the consolidation of good harmony between my Sovereign and the United States."

On the 4th of June, 1820, he again writes to the Secretary of State as follows, thanking him for still more effective legislation :—

"Permit me, Sir, to profit of this occasion to offer my thanks to this Government for the law that prohibits the entrance of privateers in the most important ports of the Union, and for the other that declares piracy the landing and committing outrages ashore in foreign lands. I acknowledge the salutary influence of the Executive in obtaining these ameliorations."

Notwithstanding the very great deference with which it is my desire, as well as my habit, to bow to the judgment of his Lordship, if I find myself so unfortunate as to be constrained to express an humble opinion in this case of conflicting authority, I cannot in candour disguise my conviction that the correct view is most likely to be that of M. Correa de Serra.

But however efficient this law may have been found to be by M. Correa de Serra at so late a date as the 4th June, 1820, it is now gravely affirmed that it so wholly lost its efficacy for the ten years following that more property was captured after 1818 than before, and the complaints of the Portuguese Minister for these captures and plundering were more frequent than ever.

The natural corollary, should this statement be sustained, would be that assuming the exertions of the Government to have continued the same, instead of improving the efficacy of the old law, the addition of the new provisions must have only made it more worthless than it was before, upon which logic might doubtless be based a very good justification to Her Majesty's Government for declining to try further legislation altogether. But unfortunately the whole argument falls to the ground when its base disappears. It is not denied that some outfits escaped from Baltimore after the year 1818. But it is denied that the complaints made for captures after that time bore any fair proportion to those made before. It never has been pretended that any law could be made so perfect, or any vigilance could be so complete, as to put an end to the efforts of profligate and desperate men. The grave error into which his Lordship has fallen appears to have originated in an *ex parte* letter written by a Minister from Portugal at Washington thirty years after the date of the events; in which letter and the caption of a list embracing the names of vessels captured, he included them vaguely within two distant dates of 1816 and 1828. It is, however, remarkable that in the letter itself containing his own recapitulation of the facts, no date of a capture is given later than 1820. By turning to the original representations made by his predecessor the same fact distinctly appears. I have carefully examined those representations to trace the dates of the claims embraced in that list; and find much the greater proportion included within the period of residence of M. Correa de Serra, ending in that year. S

also of the gross amount of value assigned in 1850 as an indemnity for all the damage done during the entire period, which is less than 300,000*l*. I find a great proportion embraced in an early and more trustworthy representation made by the same person.

Such being the facts, I submit whether, with such small support as can be given by this wholly *ex parte* and vague averment, his Lordship has not a little crossed the verge of international courtesy, by venturing, without any personal experience whatever of American legislation, and in the face of the statement of M. Correa de Serra, which he must have read, to hazard an assertion, and, still more, give rise to an impression like that necessarily produced by the language already quoted. Standing as I do, the defender of the law of my country, it is with regret I am compelled to protest against it as wholly unsubstantiated by any facts adduced, and in every essential particular incorrect.

Neither were those the only cases in which the efficacy of these provisions of law have been fully tested. It is not a very long time since I had the honour of calling the attention of Her Majesty's Government to an instance of the remarkable promptness with which action was had under them upon a request made by the Representative of Her Majesty's Government at Washington. When Mr. Crampton, on the 11th of October, 1855, directed the attention of my Government to the character of a vessel in New York then believed by him to be fitting-out as a privateer, it was by virtue of the authority vested in it by one of the sections of this law that she was seized on the 19th of the same month, and taken possession of by the officers of the law in such a manner as to prevent all possibility of escape. It required but four days to prosecute the investigation before Her Majesty's Representative was led to declare his satisfaction with the result to which it had reached, and desired the process to be stopped. When I compare the celerity of this effective proceeding with the feeble nature of the process that ended in the escape of the "Alabama," in defiance of the British authority, whilst I give due credit to Her Majesty's Government for good intentions, it seems difficult to assent to the view which his Lordship has been pleased to take of the slight difference in the inefficacy of the legislation of the respective nations. In any event I cannot but think their future harmony would have been much more certainly secured by a consent to try the experiment in season, than by an endeavour, after great injury has been done, to prove that it might not, under any circumstances, have been averted.

But it would appear superfluous to pursue this investigation further in the view of the fact that whether these provisions of the American law were or were not effective, it never was any part of my instructions to urge their adoption upon Her Majesty's Government. I was instructed only to suggest the expediency of having recourse to such additional measures as it might think proper to choose to the end of making the laws of Great Britain more effective. And it was in that form only that Her Majesty's Government decided to decline the proposal. The decision was not against the adoption of the law of the United States. It was against doing anything at all.

Neither in presenting the argument which I have been called to do, in the course of my duty here, can I for a moment permit an implication that my Government has either "made a demand which aims at the diminution of British freedom, or which assumes, without warrant from any previously recognized authority or practice, the existence of an extent of obligation on the part of neutrals towards belligerents, going beyond any which the Government of a free country could have power, though acting with entire good faith, punctually to fulfil."

I feel very sure that my country is quite as jealous of the preservation of the true principles of freedom as Great Britain is, or ever has been, and further I fully believe that neither Government would consent to give to the term that latitude which would encourage the power of doing wrong with perfect impunity.

The suggestion which his Lordship has been pleased to make towards the close of his note of improvements in the Statutes of both nations, to the end that greater security may be given to the respective nations against those who endeavour to evade its laws, though it appears to me to be in substance little more than it has been the object of my Government from the outset of the war to obtain, is yet one which I cannot but receive with great respect, and which I shall transmit to my Government with pleasure. If the reasons for it are sound now, I am at a loss to perceive why they did not avail during a period when my country could have felt the benefit of them. I trust that I need not repeat how much pain it has given me heretofore to witness the evil consequences that ensue from the alienation of sentiment that has grown out of this struggle between people of the same race, and how cheerfully I welcome every appearance of a desire to bring them back to harmony. Yet with regard to the proposition immediately before me, I cannot forbear to observe that it is predicated upon an assumption that the legislation of the two countries is now equally inefficacious—which I cannot entertain for a moment. On the contrary, the necessity for

some action in future seems to me to be imperative, because that legislation as it now stands is not co-extensive.

For it is hardly possible for me to imagine that the people of the United States, after the experience they have had of injuries from the imperfection of British legislation, and a refusal to amend it, would be ready cheerfully to respond to another appeal like that made in 1855 by Her Majesty's Representative to the more stringent and effective protection extended to their own. The great preservative of harmony between nations is the full recognition of reciprocity in their obligations. So long as the heavy list of depredations upon American commerce, consequent upon the issue of a succession of hostile cruizers, built, fitted out, armed, manned, and navigated from British ports with perfect impunity, continues to weigh upon their minds, it would be the height of assurance in me to hold out any encouragement to the acceptance of proposals the practical consequence of which might be to place Great Britain in precisely the same degree of security, in dangerous emergencies, which she herself when applied to had deliberately refused to accord to them.

In regard to the parting words of his Lordship's note, I have already too often had occasion to express the sentiments of my Government to leave any doubt of the sense in which I accept them.

In the performance of a duty which has been too often painful, whilst his Lordship has been officially the person to whom it has been my lot to address my representations, I have been steadily cheered by the conviction that he was substantially animated by the feeling that prompted those lines. I have the greatest pleasure in believing that in assuming the duties of his post under his auspices, my country may rest satisfied that the accession of your Lordship has brought about no unfavourable change.

I pray, &c.

(Signed) CHARLES FRANCIS ADAMS.

No. 19.

Mr. Adams to Earl Russell.—(*Received November* 21.)

My Lord, *Legation of the United States, London, November* 21, 1865.

I HAVE the honour to acknowledge the reception of two notes from your Lordship, one of the 17th instant, the other of the 18th instant, both of them relating to the case of the vessel heretofore known as the "Shenandoah."

The arguments presented in these notes appear to me substantially so much the same as have been urged in the correspondence I have heretofore had the honour to conduct with your predecessor, that I deem it unnecessary, on my own responsibility, further to enlarge upon the opposite views already submitted. Regretting that the result has been to bring us no nearer to any agreement in our respective convictions, I shall content myself with transmitting copies of your Lordship's notes, for the consideration of my Government, and awaiting specific instructions.

I pray, &c.

(Signed) CHARLES FRANCIS ADAMS.

No. 20.

Mr. Adams to the Earl of Clarendon.—(*Received November* 21.)

My Lord, *Legation of the United States, London, November* 21, 1865.

I HAVE the honour to inform your Lordship that the notes elicited by the proposal for a Commission to consider certain classes of claims growing out of the late difficulties in the United States, made by your predecessor, the Right Honourable Earl Russell, in his letter addressed to me on the 30th of August last, have received the careful consideration of my Government.

Adhering as my Government does to the opinion that the claims it has presented, which his Lordship has thought fit at the outset to exclude from consideration, are just and reasonable, I am instructed to say that it sees now no occasion for further delay in giving a full answer to his Lordship's proposition.

I am directed therefore to inform your Lordship that the proposition of Her Majesty's Government for the creating of a joint Commission is respectfully declined.

I pray, &c.

(Signed) CHARLES FRANCIS ADAMS.

No. 21.

The Earl of Clarendon to Mr. Adams.

Sir, *Foreign Office, December* 2, 1865.

I HAVE the honour to acknowledge the receipt of your letter of the 18th ultimo, having reference to the letter which my predecessor addressed to you on the 3rd ultimo.

There are many statements in your letter which I should be prepared to controvert if it were not that Her Majesty's Government consider that no advantage can result from prolonging the controversy, of which the topics are generally exhausted, but which might possibly, if continued, produce acrimony into the relations between this country and the United States; two nations who from kindred origin and mutual interest should desire to be knit together by bonds of the closest friendship. Such a desire is strongly felt by the Government and people of this country, and Her Majesty's Government do not doubt that it is shared by the Government and people of the United States.

While abstaining therefore from any discussion of the passages in your letter to the correctness of which I am unable to subscribe, it is nevertheless my duty in closing this correspondence to observe that no armed vessel departed during the war from a British port to cruize against the commerce of the United States, and to maintain that throughout all the difficulties of the civil war by which the United States have lately been distracted, but in the termination of which no nation rejoices more cordially than Great Britain, the British Government have steadily and honestly discharged all the duties incumbent on them as a neutral Power, and have never deviated from the obligations imposed on them by international law.

I am, &c.
(Signed) CLARENDON.

No. 22.

Mr. Seward to Mr. Adams.—(*Communicated to the Earl of Clarendon by Mr. Adams, December* 20.)

Sir, *Department of State, Washington, November* 30, 1865.

I HAVE the honour to acknowledge the receipt of your despatch of November 15, No. 1091. It is accompanied by several interesting papers. First. A copy of a note which Lord Clarendon addressed to you on the 11th instant, in execution of his promise to communicate more fully concerning the surrender of the "Shenandoah" and the disposition of the pirates to be made by Her Majesty's Government. Secondly. A copy of a note which appears to have been addressed to Earl Russell on the 6th November instant by one James J. Waddell, who describes himself as being the commander of what he calls the Confederate ship "Shenandoah," but which we certainly know to be the British registered ship "Sea King." Waddell, in his communication, reports that the brig has now returned to the port of Liverpool, and there placed herself and crew under the protection of Her Majesty's Government, having at length desisted from a destructive career, which she pursued indefatigably for a period of about ten months, during which, as we well know, he derived all his men and material of war, supplies and provisions, from home and colonial ports within the British Empire, in opposition to the earnest and continuous protests of the Agents of the United States. Thirdly. Your reply acknowledging the receipt of the note of Lord Clarendon. I lose no time in giving you the views of the President concerning the papers which have thus been brought to his consideration, and the subjects to which they relate.

First. Among those subjects is the delivery of the "Shenandoah" by direction of Her Majesty's Government to the Agents of the United States. We accept the vessel, but I regret to say that the acceptance is not attended with any sense of satisfaction on the part of this Government. It would have gratified the President if Her Majesty's Government had caused proceedings to be instituted for the condemnation of the "Shenandoah." The course, however, which the British Government has heretofore pursued in regard to our applications for justice was such as to discourage on our part an expectation of such a disposition of the vessel. We accept her now simply and exclusively upon the prudential consideration that being reduced into our possession, she will not again depart from British waters in a hostile character.

Secondly. The United States cannot but ask the serious attention of Her Majesty's

Government to the facts of the case as they bear upon the discharge of the offender Waddell and his accomplices. After having exposed himself and them to prosecution for piracy in the ports of every civilised nation, he, as it would seem to us, impertinently and indecently placed himself and his associates under the protection of Her Majesty's Government under circumstances which, as they are viewed by this Government, are calculated to render a judicial investigation necessary for the safety and welfare of an injured and friendly nation. The United States think that they might well have promptly called upon Her Majesty's Government to surrender the offenders as fugitives from justice, to be brought within the jurisdiction of the United States, and punished here for their flagrant crimes.

The United States, however, were not at liberty consistently with their self-respect to pursue that course. They could not but recall the fact that in recent cases of the "Chesapeake" and "J. L. Gerety," or "Eureka," applications of that character made by the United States were denied by the judicial authority of Great Britain, approved by the Executive Government, on the ground that the offence of piracy on the high seas was properly cognizable in Her Majesty's Courts of the realm, and therefore that the offenders were not lawful subjects of extradition to a foreign Government. It therefore only remained to the United States to ask Her Majesty's Government themselves to take the measures which seem to be required for the discharge of obligations to the United States and the vindication of public justice. This suggestion was made by you to Lord Clarendon in what seems to us to have been a very respectful and becoming manner. The result which followed was the discharge and unconditional enlargement of the offenders from custody upon two grounds: first, that Her Majesty's Government have in their possession no evidence to impeach a prevaricating plea of the commander. This position was assumed when every part of the unlawful transaction complained of had occurred either in British ports or on the decks of the "Shenandoah," herself a British vessel, and when all those transactions had been fully made known to Her Majesty's Governments; and when any parties who could give the necessary testimony for the conviction of the pirates were not only within British jurisdiction, but actually within custody of agents of Her Majesty's Government. The other ground which is assigned for the enlargement of the offenders is, that none of them were subjects of Great Britain; whereas, upon evidence which seems to this Government entirely conclusive, all the offenders were either native subjects of the Queen, or had become by some sufficient form of refuge or domiciliation amenable equally with native subjects to the penal laws of the realm.

The United States regret that they are unable to draw from these proceedings any other inference than the painful one that Her Majesty's Government have assumed to hold guiltless of all crime subjects of Her Majesty who have in a time of profound peace waged naval war upon the high seas against unarmed citizens of the United States engaged in lawful commerce and navigation.

As a protest against these proceedings you will read this despatch to Lord Clarendon and leave with him a copy if desired.

I am, &c.

(Signed) WILLIAM H. SEWARD.

No. 23.

The Earl of Clarendon to Sir F. Bruce.

Foreign Office, December 26, 1865.

Sir,

MR. ADAMS called upon me by appointment, and read and left with me a copy of a despatch from Mr. Seward respecting the "Shenandoah," and the surrender of that ship to the United States' authorities.

I inclose a copy of the despatch.*

I told Mr. Adams that my sincere desire to do and say nothing that could impair our friendly relations with the United States alone prevented me from replying to the despatch at once, and in the terms which I thought it deserved; and that if it was answered it would be so in writing. Mr. Adams said that was the course which he expected I should take.

A lengthened discussion then ensued as to the manner in which the obligations of neutrality had been performed by this country during the late civil war. It was conducted without acrimony, and was put an end to by myself, as leading to no useful or practical result.

* No. 22.

I, however, asked Mr. Adams whether it would not be both useful and practical to let bygones be bygones, to forget the past, and turn the lessons of experience to account for the future. England and the United States, I said, had each become aware of the defects that existed in international law, and I thought it would greatly redound to the honour of the two principal maritime nations of the world to attempt the improvements in that code which had been proved to be necessary. It was possible, I added, that the wounds inflicted by the war were still too recent, and that the ill-will towards England was still too rife, to render such an undertaking practicable at the present moment; but it was one which ought to be borne in mind, and that was earnestly desired by Her Majesty's Government, as a means of promoting peace and abating the horrors of war; and a work, therefore, which would be worthy of the civilization of our age, and which would entitle the Governments which achieved it to the gratitude of mankind.

Mr. Adams, in reply, said the law of England, in its international application, stood greatly in need of amendment; but he gave me no encouragement to expect that his Government would co-operate with that of Her Majesty in the course of proceeding which I had suggested.

You will, however, avail yourself of such opportunities as you may think fitting to bring the subject under the consideration of Mr. Seward or the President, and you can neither exaggerate the importance attached to it by Her Majesty's Government or the satisfaction it would give them to co-operate with the Government of the United States in a work of which the benefit would be universal.

I am, &c.
(Signed) CLARENDON.

No. 24.

Mr. Adams to the Earl of Clarendon.—(*Received December* 28.)

My Lord, *Legation of the United States, London, December* 28, 1865.

ENTERTAINING no desire to re-open the questions already discussed in connection with the steamer "Shenandoah," I propose to submit the accompanying letter from the Consul of the United States at Liverpool, and the two depositions to which it refers, solely for the purpose of placing more fully on the record what appear to be the facts connected with her cruize.

The points to which I desire particularly to call your Lordship's attention are these:—

1. In your note to me of the 2nd instant you state "that no armed vessel departed during this war from a British port to cruize against the commerce of the United States."

2. In your note of the 11th of November your Lordship is pleased to rely on the authority of the commander of the "Shenandoah" for the statement that he committed no depredations upon the commerce of the United States after he knew that the rebellion had been suppressed.

3. In the same note you state, on the authority of the report of the officer sent to muster the crew, that there were no persons known to be British subjects on board.

On the other hand, with the aid of the narrative and list of the crew herewith submitted, I trust it may be made to appear:—

1. That the "Sea King" did depart from a British port armed with all the means she ever had occasion to use in the course of her cruize against the commerce of the United States; and that no inconsiderable portion of her hostile career was passed whilst she was still registered as a British vessel, with a British owner, on the official records of the Kingdom.

2. That the commander had been made fully aware of the suppression of the rebellion the very day before he committed a series of outrages on innocent, industrious, and unarmed citizens of the United States in the Sea of Okhotsk.

3. The list of the crew herewith submitted, with all the particulars attending the sources from which the persons were drawn, is believed to be so far substantially correct as to set at rest the pretence of the officer sent on board that there were no British subjects belonging to the vessel.

Deeming it to be of the utmost importance to the establishment of the precise relations of neutral Powers towards belligerents in future emergencies, that all the facts attending the share taken by Her Britannic Majesty's subjects in the late war should be clearly placed before the world, I have ventured to take the liberty to ask of your

Lordship the privilege to consider these papers as intended to modify, so far as they may be fairly entitled to be regarded as doing so, the allegations of fact which appear in the notes to which they respectively refer.

I pray, &c.
(Signed) CHARLES FRANCIS ADAMS.

Inclosure 1 in No. 24.

Mr. Dudley to Mr. Adams.

Sir, *United States' Consulate, Liverpool, December* 18, 1865.

I HAVE the honour to inclose you copies of two affidavits; one of William A. Temple, a very intelligent seaman, who shipped on the "Shenandoah" (then called the "Sea King") in London, and remained on her during the cruize, and was discharged from her after she came to this port; the other that of Margaret Marshall, the wife of David Marshall, of Liverpool, who went out from here in the steamer "Laurel," and joined the "Shenandoah" near the Island of Madeira in the capacity of a fireman. David Marshall was also on the "Shenandoah" during the whole of her cruize. At the time of his enlisting they gave him what is known as a half-pay note, for the one-half part of his wages, payable to his wife at the office of Fraser, Trenholm, and Co., in Liverpool. This note was sent to Mrs. Marshall by her husband; it was for 3*l.* 10*s.* per month. Her affidavit shows that this money was paid to her at the office of Fraser, Trenholm, and Co., Liverpool, monthly, during the cruize of the vessel, up to the month of October 1865. That the last payment was made to her on the 18th day of October last.

The affidavit of Temple covers the time of the whole cruize, and gives an account of some of the events that occurred, with a list of the officers and crew, and their nationalities. By it you will see that she had 26 officers, 33 petty officers, 54 seamen, 12 firemen, and 12 marines, making, in all, 137 persons on board. Of these 78 were British subjects, 26 foreigners belonging to other nations, and 33 Americans, divided as follows:—Of the officers, 19 Americans and 7 British subjects; of the petty officers, 5 Americans, 23 British subjects, and 5 other foreigners; of the seamen, 9 Americans, 26 British subjects, and 19 other foreigners; of the 12 firemen, all British subjects; of the 12 marines, 10 British subjects and 2 foreigners of other nations.

Among other matters, the affidavit shows that the "Sea King," when she sailed from London, had two 18-pounder guns mounted upon her decks, and that these were the principal guns used during the whole of her cruize; that the day before they reached the Island of Madeira they painted over the name of "Sea King" wherever it appeared on the vessel or any of the boats or fixtures; that on her arrival at Melbourne she was received in the most cordial manner by the officials and people at that port, and every facility afforded to obtain supplies and make repairs; that the officers of the "Shenandoah" were entertained on shore, and in their turn entertained the officials of Melbourne on board the "Shenandoah;" that Captain Waddell entertained privately on the "Shenandoah" the Governor of Melbourne; that the Government Engineer at Melbourne was on the vessel two or three times a-day, and if he did not superintend the repairs that were being made, at least gave them the benefit of his advice: that at the time they left Melbourne they had more than forty persons stowed away on board the vessel, all of whom were enlisted and enrolled upon the ship's articles before they were out of sight of land; that the ship was coaled there by the English ship "John Fraser," of Liverpool; that notwithstanding they received information of the surrender of Lee and the termination of the war as early as the month of June of this year, they still went on burning and destroying all vessels they fell in with sailing under the United States' flag, and after receiving this information captured no less than nineteen vessels, all of which were either bonded or burned; that the flag generally used on the "Shenandoah" when speaking other vessels or decoying their victims was the English; that the men received their bounty-money when they enlisted and their wages afterwards in English gold; that the contract made with them was that they were to be paid in this money, and be discharged at an English port or placed on board of an English vessel after their several terms of enlistment had expired; that they were brought to the English port of Liverpool and entertained by Captain Whitehead, who sent off a boat-load of fresh provisions to them on the night of their arrival; that Jones and Co. on the following evening also sent off a boat-load of provisions, which the Custom-house officers refused to permit to be taken on board; that the officers and crew were all discharged from the ship by Captain Paynter, of Her Majesty's ship "Donegal," the crew having been previously informed that on

their names being called they must give their nationality as Southerners; that the crew upon being landed at Liverpool were admitted into the Sailors' Home, and that they were paid there either the whole or part of the wages due to them in money obtained at Liverpool.

I am informed that the Captain Whitehead who sent off the boat-load of provisions to the "Shenandoah" on the night of her arrival is a member of the firm of Whittaker, Whitehead, and Co., Liverpool; and that the firm Jones and Co., who sent off the boat-load on the following evening, is the same firm that fitted out the pirate "Georgia."

When you add to the facts disclosed in these affidavits those that were known before, that the vessel was built in Scotland; owned at the time she sailed upon her cruize by Richard Wright, an English merchant of Liverpool, in whose name she was registered in London, and who so late as October of this year stood there as her registered owner; that she was fitted out and sailed from London upon her cruize, was armed with English guns and wholly supplied from England, it seems to me that the character of this vessel as an English buccaneer is fully made out.

I am, &c.
(Signed) THOMAS H. DUDLEY.

Inclosure 2 in No. 24.

*Affidavit of William A. Temple.**

I, WILLIAM A. TEMPLE, of London, now residing in Liverpool, No. 108, St. James-street, say I was born in Madras, and am a British subject. In October 1864, I was in want of a ship, and stopping at Green's Sailors' Home in London, and I heard of the "Sea King." I was called in the office by one of the officials. Captain Corbett of the "Sea King" steamer, afterwards called the "Shenandoah," was there. I was asked for my discharge by Captain Corbett. I tendered him my papers; he told me he would ship me as an ordinary seaman; he told me he would give me 35*s.* per month. This was on Wednesday. He told me to be down on the next Friday morning. I signed the articles of the "Sea King" for a voyage to Bombay, not to exceed two years, Captain Corbett giving me a note for one month's advance wages. I signed in the name of W. J. Jones, and I continued by that name, William John Jones, during all the cruise of the "Shenandoah." I went down on Friday, was told she would not go out until next morning, and that I must be on board by 4 o'clock. I went at the time mentioned and found her going out of dock. I got on board; she was in command of Captain Corbett. We proceeded down the river at half speed. At the time we left London we had two eighteen-pounder guns mounted on the decks. These were the guns we generally used while on our cruise in bringing vessels to. I found on board Lieutenant Whittle, who was afterwards first Lieutenant; he was on her as a cabin passenger under the assumed name of McDonald. There were several parties on board; some of them left us at Deal. Richard Wright, a merchant of Liverpool, who owned the vessel at the time, was one of them. The Captain was on very intimate terms with Lieutenant Whittle, treating him with every deference. I became steward to the steerage officers, and remained in this capacity after I enlisted on the "Shenandoah" until a month after we left Melbourne, and I then went on deck and did duty as an ordinary seaman. We kept down the Channel under easy sail and steam, and made the Island of Madeira on the following Monday week. At the time we left London the name "Sea King" was on the stern of the vessel, on each bow, on all the boats, buckets, life-buoys, and other fixtures and furniture. The day before we reached the Island of Madeira the name "Sea King" was either painted over or else scratched off. During that night we kept on and off. Next morning we ran into the harbour, signalled a small steamer lying there, which afterwards proved to be the "Laurel." We went out of the harbour again, the steamer "Laurel" followed us. In two hours we reached a small island lying in an easterly direction from Madeira. The steamer "Laurel" anchored close into the shore, and we came alongside and dropped our anchor. She (the "Laurel") soon came alongside and made fast to us. It was now for the first time that I learned what was up, and that she was going privateering. The steamer "Laurel" was in command of Captain Ramsay, a British subject, who held a commission as first Lieutenant in the Confederate navy. The first Mate, by name of Heasman, came to us and told us about it. He stated that the gentleman Whittle, who came with us, was to be first Lieutenant, and told us that any of us who desired to join would get 4*l.* 10*s.* a month. As soon as the two vessels were fastened together they commenced transferring the guns, shot, shells, ammunition, clothing, &c., from the

* The blanks in this statement were not filled up in the copy forwarded by Mr. Adams.

"Laurel" to the "Sea King." We worked from about 2 o'clock that day until 3 o'clock the next morning; during this time grog was served out to the men about every two hours. Captain Corbett, Lieutenant Whittle, and the officers and men of both ships, were busy engaged in making the transfer. After we finished we lay down and took a sleep and turned out again about 9 o'clock. As soon as the men were out we were all called aft by the boatswain of the "Sea King"; the men from the "Laurel" were also called on board. As soon as we got aft Captain Corbett came out with the ship's articles in his hands, and made a speech to us something to this effect:—Men of the "Sea King," you signed these articles with me to go to Bombay or any intermediate port, and if the ship should be sold on the voyage you were to sign clear of her. Some one said we did not hear anything about that in London; he replied, Here it is, and read it to them. He then went on to say that he had sold the ship, and that those who wished to join the ship could do so; that they would be paid on their signing a paper clearing from the "Sea King" two months' wages, whilst those who did not want to join her were to take their clothes and go on the steamer alongside, which would take them to Liverpool, where they would be paid two months' wages upon signing a similar paper. Some of the men demanded that they should be paid immediately. Captain Waddell was standing close to Captain Corbett at the time in full Confederate uniform, and as soon as Captain Corbett had finished, stepped forward and took his place by the side of Captain Corbett, and said:—Men, I am an officer in the Confederate navy, authorized to take command of this ship. He offered to read his commission, but the men said, No, never mind. He then said, Any of you that feel inclined to serve under the Confederate flag will get good wages and good treatment. I do not intend to fight; any one can see that this vessel was not made to fight; I intend to run away rather than fight, unless in a very urgent case. My orders are simply to destroy the Federal commerce by burning and destroying all ships that I can find sailing under the Federal flag. He said, as each vessel was taken they would be valued, and half of the value of each would be divided among the ship's company and paid to them at the end of the war. Some one asked what bounty he would give; he replied he would give 15*l.* bounty in gold; to able seamen he would give 7*l.* per month, and those that were married could have their wages paid to their wives in Liverpool during the cruise. Notes were given to the married men for the half of their wages payable in Liverpool at Messrs. Fraser, Trenholm, and Co's. office. These notes have been paid, as I have been informed, up to three weeks of our reaching Liverpool in last month. He told the men as the wages were high they would only sign for six months, at the end of which time he would land them in some British port, if it lay in his power; if he could not do this, he would endeavour to place them on board a British vessel bound for the United Kingdom. He expected to make up his crew from the prizes he would take. He said her name was the "Shenandoah," and that he was to command her. No Confederate flag had up to this time been shown. The only flags used had been the English. Myself, Mr. Hutchinson, Mr. Clark, and John Martin, signed cleared of the "Sea King," receiving each two months' wages from Captain Corbett, and then were sworn to the effect that we were to serve the Confederate States to the best of our ability, and never betray them; we signed this at the bottom. Efforts were made to get the other men to join; many from the "Laurel" did join, those who would not returned to Liverpool, or started for there in the "Laurel." Mr. Smith, the purser of the "Shenandoah," paid me the two months' wages for serving on the "Sea King," also the bounty money for enlisting on her. It was about 12 o'clock when the "Laurel" left us; she steered towards Madeira, and we took a south-west course. On parting company with the "Laurel," we hoisted for the first time on the "Shenandoah" the Confederate flag. It was up but for a few minutes; another vessel hove in sight, and we hoisted an English flag to her, she replied with the same flag. This was the 19th day of October, 1864, when we parted with the "Laurel." Captain Corbett, and all the men who did not join the "Shenandoah" went on the "Laurel." We were ten or twelve days in stowing things away and mounting the guns. We had two guns mounted at the time we left London, each eighteen-pounders; we mounted four sixty-eight pounders smooth bore shell guns, and two long thirty-two pounder Whithworth rifle guns. These were all English guns. There were also rifles, revolvers, cutlasses, &c., in abundance. Each man at his quarters during our cruize was armed with a rifle, a cutlass, and a revolver. This was continued until the 3rd of August last. There were but nineteen men besides the officers at the time we left the "Laurel." All these men were British subjects. All the guns, small arms, and ammunition, as well as supplies, were from England; had been brought out either from London in the "Sea King," or in the English steamer "Laurel" from Liverpool. Our bounty-money was paid us in English gold.

Indeed Captain Waddell told us at the time we joined that our wages would be paid us in English gold. We were paid, at least myself, 2*l.* in English money at Melbourne, and since my arrival at Liverpool I have been paid by Mr. Lewis Wiggins, who held the post of Signal Quartermaster on the "Shenandoah," about one-half part of my wages. This payment was made at the Sailors' Home, Liverpool, on the 13th November (last month 1865), in English money. This last payment was made by Wiggins and Charles H. Morton, one of the seamen; they told us we need not be afraid, we would get the rest of it.

About the 29th day of October, 1864, we captured our first prize in the barque "Alina," of Searsport, from Newport, bound to Bahia. When we got within signalling distance of her we hoisted the English flag. She replied by hoisting the American, and as soon as we got up near her we fired a blank shot across her bows, and hoisted the Confederate flag. She hove-to, and an armed boat was sent to her. The vessel was condemned, and sunk. The captain and men were brought on board the "Shenandoah," and all the men and officers, except the captain, were put in irons.

The next prize was the schooner "Charter Oak." She was bound from Boston to San Francisco. She was condemned and burnt. The captain had his wife and wife's sister on board. They were brought to the "Shenandoah." The captain had about 200 dollars. This Captain Waddell took from the captain, but gave it to his wife on leaving the "Shenandoah." The captain of the "Charter Oak" represented that this was all he had in the world now that his vessel was burnt. This vessel was loaded with furniture, provisions, preserved fruits, preserved vegetables, meats, &c. We took out sofas, furniture, preserved fruits, meats, &c., and transferred them to the "Shenandoah;" indeed, we almost unloaded her, and transferred her cargo to our vessel. We spoke a Danish brig bound to Rio Janeiro; all the prisoners were placed on this vessel. Our captain made a bargain with the Danish captain to convey them there.

A week or ten days afterwards we took our third prize, the barque "D. Godfrey," of Boston, and bound from that port to . We condemned and burnt her.

We then captured the schooner "L. N. Stacey," of Boston, and from that port to Honolulu. She was condemned and burnt.

The next vessel we captured was the "Kate Prince." She was a ship from Cardiff to Bahia. Her cargo proved to be neutral. She was ransomed, and all our prisoners transferred to her.

Our next prize was the barque "Adelaide." She was condemned to be burnt; but while they were breaking up her cabin, a letter from her owners in Baltimore was discovered. It was brought on board, and the order to burn her was revoked because she belonged to Southern owners. She was released on giving a ransom bond for a small amount. She was under a Buenos Ayres flag.

The next prize was a brigantine, the "Susan," from Newport to Rio Janeiro, loaded with coal. She was condemned and sunk.

The barque "Edward" was next captured west of the Cape of Good Hope. She was from Nantucket, and bound on a whaling voyage. We lay aside her for two days transferring stores from her to our vessel. She was then condemned and burnt.

The next day we made the Island Tristan d'Acuna, where there is a British Settlement. We landed all our prisoners there, to the number of about forty,

The next prize was east of the Cape. It was the barque "Delphine;" she belonged to Portsmouth, New Hampshire; was in ballast. She was condemned and burnt. The captain had his wife with him. She and the rest were transferred to the "Shenandoah."

From this time until we arrived in Melbourne on the 26th day of January, we took no more prizes. We were well received by all the authorities and people at Melbourne. All the officials and most of the leading inhabitants of the place visited the "Shenandoah," and were very warm in their congratulations and well-wishes to us. The Governor of Melbourne visited Captain Waddell and was privately entertained by Captain Waddell on board the "Shenandoah." There were 8,000 visitors came on board to see us in one day. All the Government officials were on board to see us, and most of them were entertained on board either by the captain or his officers. The Government officials in Melbourne gave an elegant entertainment to Captain Waddell and his officers during his stay there; it was given at their club-room in Melbourne. Every facility was afforded to us both by the officials and people of Melbourne to make our repairs and to procure our supplies, indeed everything we wanted. One very warm friend was a man by the name of , formerly the United States' Consul there.

A dinner was given to the officers of the "Shenandoah," at a place called Ballarat, up in the country. Mr. Smith, Mr. Grimblall, Mr. Scales, Mr. Mason, Dr. Lenn ng, and Mr. Brown went. They were received at the station by some 2,000 people, who cheered them as they passed.

The English Government Engineer was on board our ship while we were undergoing our repairs three or four times a day, and certainly assisted them with his opinions and advic e if he did not superintend our repairs.

We left Melbourne on the 18th day of February. When we left we had from fifty to sixty persons on board as stowaways; among them was Captain Robert Blackar, who commanded the English steamer "Saxonia." It was known to the officers on board at the time we sailed that most of these men were on board. All these persons so stowed away on board were British subjects, and were enlisted or enrolled upon the ship's books as officers or men within twelve hours from the time we left our anchorage, and while we were within sight of land. Their names are mentioned in the list annexed hereto, and comprise all those set down in said list as shipping at Melbourne.

Before we left Melbourne we were coaled by the ship "John Fraser," from Liverpool, which I have since learned was sent out with coal expressly for us. It was some six weeks after we left Melbourne before we took another prize, during which time we were organizing a company of marines, and drilling the crew.

About the 2nd of March we spoke the schooner "Honolulu," under the Honolulu flag; the captain of the schooner told us there were six American whalers anchored in the harbour of the Island of Ascension. We made all haste, steered directly to this island, and entered the harbour two days after. We found there four vessels, all whalers: the ship "Hector," of New Bedford; ship "Edward Carey," of San Francisco; the barque "Pearl," of New London; and the barque "Harvest," of Honolulu. This last vessel was from Honolulu, under the Honolulu flag, and in command of a citizen of Honolulu. These vessels were all lying at anchor in the harbour. The Honolulu barque was brought alongside, and all her supplies were removed to the "Shenandoah;" here captain was brought on board and placed in double irons, and kept in this condition for three or four days. The captains of the three American vessels were visiting the missionary on the other side of the island at the time we arrived, but most of them returned in time to see their vessels burned. We took possession of all the vessels, the three that were under the American flag as well as the one under the Honolulu flag. Within an hour after we arrived we took possession, and the savages of the island were told they might go and plunder the vessels and take whatever they desired. They took the boats belonging to the vessels, sails, furniture, supplies, &c. They almost stripped the vessels. We fired and burned the "Pearl" on the day we arrived; the next Monday, the 6th of March, we gave the "Edward Carey" and the "Hector" to the flames; the Honolulu barque was burned about two days after. The vessels were all in the harbour at the time they were burned. The crews from all these vessels were turned on shore among the savages as soon as we took possession. All the captains upon their return, which was not until after we had seized their vessels, with their officers, were brought on board the "Shenandoah," placed in irons, and kept there until we were ready to sail, when they were paroled and sent to the shore with their men among the savages. We left them there. The King of the Island came on board while we were there. Waddell and his officers received him in full uniform, wearing their swords. He was brought aboard in the ship's gig, and entertained by the captain in his cabin, and shown round the ship.

We left the Island of Ascension about the 14th day of March last, and cruized for about a month off the coast of Japan, hoping to fall in with some of the United States' traders with that country.

The last part of May we entered the Okhotsk Sea; we there captured the whaling-barque "Abigail," of New Bedford. We lay alongside two days transferring the spirits, potatoes, and supplies from her to our vessel. There were on the vessel some twenty or thirty silk dresses which the captain and officers had purchased in Japan, and a quantity of fancy Japan work-boxes and fancy articles. All these were taken by the officers and men of our ship. The vessel was then burned. A part of the time we were lying by her our crew had reached the liquors, and were in a frightful state of intoxication. The second mate of this vessel, F. Manning, an American belonging to Baltimore, on coming on board, told our captain that he was well acquainted with the seas in the neighbourhood, and would pilot the vessel "Shenandoah" to a place where we would find fourteen or fifteen United States' whaling-vessels together. He was placed upon the articles as ship's corporal, and gave the information to the captain. We afterwards, under his piloting, found eleven American vessels all together, nine of which were burnt as hereafter

mentioned. Manning was at once for this service rewarded by being made a master's mate. He is now in London. After cruizing for more than a week we made for Behring's Straits.

In the month of we sighted two vessels within about nine miles from the land; they proved to be the ship "William Thompson" and ship "Euphrates," both from New Bedford. They were both burned. While they were burning, another ship hove in sight; we gave chase under the Russian flag; she proved to be the English barque "Robert Downs," of Sydney. We gave them our name as the Russian ship of war "Prince Petropauloski," bound on a cruize; she saluted us, and we parted.

In two or three days, near the entrance of Behring's Straits, we sighted three more vessels; they proved to be the ships "Milo," the barque "Sophia Thornton," and barque "Jerry Swift;" they were all captured. The "Milo" was bonded on condition of her receiving the crews of the others and the prisoners we had on board; the others were burned. This was in the month of June. The next vessel we took was the brigantine "Susan Abigail," of San Francisco; she was twenty-eight days from San Francisco, and bound on a general trading voyage in the Arctic Sea. She had many fancy articles on board, but we took nothing from her, but burned her immediately, as the captain and crew had told us that General Lee had surrendered and the war was over. It was on the day of June last when we captured and burned this vessel. This was the first news we had that the war was over. This news depressed us. On the following night, about 12 o'clock, we took three other vessels: the barque "J. C. Nye," of San Francisco; barque "Nimrod," of New Bedford; and barque "Catherine," of New Bedford, all whalers. These three last vessels were captured and burned on the night of .

The next vessels taken were the barque "Isabella," of New Bedford; and barque "General Pike," of New Bedford; and the barque "Gypsie," of New Bedford. They were captured on the .

The "General Pike" was ransomed; the "Isabella," and a barque called the "Gypsie," of New Bedford, were burned. The "Isabella" was brought alongside the "Shenandoah," and her stores taken out and placed on our vessel before she was burned. The crew from these vessels were all placed on the "General Pike." Another vessel was in sight, but the captains from the prize-vessels told us she had the small-pox on board, and we let her pass, although she showed the American flag.

Early in the morning of , the weather being foggy, we were very nearly being run in to by the barque "Waverley," of New Bedford. We took her and burned her. On the same day the fog cleared off, and we saw several vessels anchored in a bay or roadstead; they were about eight or twelve miles from land. Most were at anchor; some were with their sails furled up; there were eleven altogether. We were at this time under the pilotage of Mr. Manning. It was through him that we had reached this point. They all hoisted the American flag. On our nearing them we too hoisted the American flag. The first vessel proved to be the barque "Martha," of New Bedford; she was under canvas, and was just going to anchor; she was boarded by us and taken possession of. We then came up to a lot of them; they were the barque "Congress," of New Bedford; barque "Nassau," of New Bedford; barque "Corington," of New Bedford; the ship "James Murray," of New Bedford; the ship "Brunswick," of New Bedford; ship "Hilman," of New Bedford; the barque "Nile," of New Bedford; the ship "Isaac Howland," of Warren, Rhode Island; and the barque "Favorite," of Fair Haven. This last vessel, on our boat going to board her, made resistance. Her captain pointed a bomb gun at us, and threatened to fire at us if we approached his ship. All his crew were armed with handspikes. At this time nearly all the vessels above mentioned were in our possession, and several of them were in flames, and the United States' flag was still flying at our gaff or mizen-peak; we had not had any other up to this time flying. On receiving this hostile reception we returned to the "Shenandoah," and informed the Lieutenant what had happened. He hauled down the United States' flag and hoisted the Confederate flag on the "Shenandoah," and approached with his vessel to within speaking distance, hailed the captain, and told him that every person must leave her within five minutes, or he would fire into and sink them. Captain Waddell ordered one of the Whitworth guns to be loaded, and repeated the order to point the gun to hit that ship. Before the five minutes had expired all the crew had left her in their boats; the captain refused to do so, and remained on board. First Lieutenant Whittle, on seeing that the crew had left the ship, hailed the barque again, and told the captain to haul down his flag. The captain replied that he would not. The first lieutenant then ordered our boat to be hauled up, and in great excitement snatched a loaded rifle from one of the marines, jumped into the boat, and told us to give way and pull with all our might. On approach-

ing the vessel Lieutenant Whittle pointed the rifle at him, and told him if he did not within five minutes go and stand in the port gangway, leaving his arms on the poop, he would shoot him dead on the deck where he stood. The captain appeared to be intoxicated. We went round and boarded the vessel, took possession, and burned her.

We bonded the two ships "James Murray" and "Brunswick," and burned all the rest. The crews from the burnt vessels were placed on the "Murray" and "Brunswick."

After firing these vessels we steered to the northward for a day and a night, but meeting with heavy sea we turned about and steered for the south. Manning protested against our turning about, saying in a few more days he could find as many more vessels as we had already taken.

Three or four days after, about the , we spoke a Honolulu brig; hailed and asked her what news she had. He replied that General Lee had surrendered, and the Northern President had been assassinated.

After this, on the 6th day of July, we left Behring Sraits for the Pacific Ocean. When in the latitude of San Francisco, on the 2nd of August, 1865, we spoke the barque "Barracouta," of Liverpool, from San Francisco to Swansea, fourteen days out. We sent a boat on board, and he told us that the war was over, confirming the news we had heard before.

On the following day all hands were called aft, and Captain Waddell told them it was indeed true that the South had been suppressed, and the war over. He told the men all they had to do was to obey him, that he intended to take them to a British port, and that however much trouble they might be put to, he and his officers would be in a much worse condition, but that if they would stand by him he would stand by them. He alluded to a letter which had been sent aft by the crew, requesting him to go into a British port. He told them he would go into a British port. Some wanted to go to Australia, but they all seemed well content with his ultimate decision to come to Liverpool.

We rounded the Horn on the 13th September, and made direct for Liverpool. When in latitude of the Cape of Good Hope the officers called a meeting, and signed a petition, requesting the Captain to run in and land them at Cape Town. Captain Waddell refused to accede to this.

The next day Lieutenant Whittle waited on the Captain at the request of the officers, and renewed the matter. The Captain still refused.

On the following day the men held a meeting, and signed a petition to the effect that they were willing to go wherever the captain took them. He then continued on his course for Liverpool, where we arrived on the 6th November, 1865.

Our general practice while cruising was, when we captured a vessel, to bring the men and officers to the "Shenandoah," and put them in irons. In some cases the officers were not put in irons. In approaching vessels our general practice was to hoist the English flag; this was done in most cases when we captured a prize or spoke a vessel. In a few instances we hoisted the Russian and American flags, but the English flag was the one we generally used.

The only inducement held out for men from vessels captured to join our ship were these. After they were put in irons, the officers would approach them and say, Now you are in irons, and will probably be kept there for a month, and you are earning nothing: now if you will join us you will be set at liberty, treated well, and earn good wages; you had therefore better consent and do it. Many agreed to do this.

F. Manning, the mate from the "Abigail," was not put in irons at all. He became an active man among us as soon as he got on board, and volunteered his services to conduct us to the whaling fleet, and was thanked and complimented by the captain, and promoted for his services.

When we captured a vessel we always took all the money, jewellery, chronometers, and other valuables that were in the ship, and all the money and jewellery that the captain and officers had in their pockets or about them, except their watches and what they were wearing. In one or two instances their watches were taken from them by our men. Complaint was made by the captains of this to our officers, but they never got any redress.

After a vessel was condemned, and we had taken everything we wanted from her, we would proceed to break up her cabins and furniture with our axes, and then set her on fire. That is the way we did whenever we burned them. There were two cases where we sunk them.

A day or two before we arrived at Liverpool, Captain Waddell had all the men called aft. He commenced to address them, and said when the ship first started she had 22,000 dollars on board of her. Out of that he took 18,000 dollars to defray the expenses in Melbourne; consequently, when he came to consider the large amount that was due to each one of us, the small amount of money left would go but a little way amongst us, but what there was should be equally divided among the officers and men, and on our arrival in Liverpool he would endeavour to see where the rest of our money was to come from. He said he had no doubt but what among the Southern population of Liverpool who had been so interested and concerned in the war, there would be some who would be willing to contribute to pay us, who had done so much. He then went on to say what satisfaction the good conduct of the crew during the cruize had given him, and he only hoped up to the last moment of their stopping in the ship they would behave in the same orderly manner. He added, you have gained a name by serving in this vessel that will never be forgotten; your acts will be talked of all over Europe. He said that when he got on shore it would be very annoying to him to have the men following him about Liverpool to the offices; he would therefore appoint Lewis Wiggins and James Brossman, to whom he would communicate, and who would communicate his wishes to the men. He promised to give us each a certificate of the exact amount due to us.

The day before we arrived in Liverpool, we were paid the money that was promised on the ship, that is, the cash in hand was divided. My share was *5l.*, which was paid me in English gold. A part of the crew were paid partly in English and partly in American coin.

We came on shore at Liverpool on Wednesday evening, the 8th day of November, 1865. We heard nothing more about the payment until the following Friday. I had gone to and was stopping at the Sailor's Home in Liverpool. A majority of the men from the "Shenandoah" were stopping at the Sailors' Home in Liverpool. No objection was made to our stopping in the Sailors' Home in Liverpool; they admitted all who applied, but would not take the name of our ship; they put us down under the name of another vessel.

On Friday Wiggins, who was stopping at the Sailors' Home with us, came and collected all the certificates that had been given us before we left the "Shenandoah," showing the amount due to us, telling us that he would most likely pay us the following day.

About 10 o'clock on Saturday, the 11th of November, 1865, he commenced to pay off the crew upstairs in his own room at the Sailors' Home. Morton acted as clerk. He called them in one by one, and commenced paying them in full in English gold; he paid off about one-half of the crew in full. The following day I went down to the Home and asked him to give me a few shillings as I had not been paid, and he then told me there would not be enough money to go round and pay all.

The next morning he commenced paying the crew one-half their wages, and retaining their certificates. There were due me 49*l.* 14*s.* I got only 22*l.* This was paid me in English gold. That same evening Wiggins went to London in disguise. Morton took a second-class ticket to Bristol.

On Friday the 17th November, I went to the Waterloo Hotel, and there saw Captain Waddell; he took me up to his room. I asked him what prospect there was of our being paid. He told me he had given Wiggins enough money to pay all the men all that was due them, and he had no doubt but what Wiggins was acting for the best. This is the last time I have seen him, but several of the crew have seen him subsequently.

We arrived at Liverpool on the afternoon of the 6th of November, as above stated, and anchored in the River Mersey near Her Majesty's ship "Donegal." We came up with the Confederate flag flying.

Just as we anchored a lieutenant from the "Donegal" came on board. After conversing with Captain Waddell he left, and soon after Captain Paynter of the "Donegal" came; he remained about an hour, and as he passed over the side of the ship, said he would telegraph Earl Russell and let Captain Waddell know the answer as soon as he got it. That night a company of marines with two officers from the "Donegal" came on board and took possession of the vessel. These men from the "Donegal" would not permit any of the officers or men to leave the vessel. That night Captain Whitehead of Liverpool sent off to the ship two barrels of ale, one of porter, a lot of fresh beef, fresh mutton, a large supply of vegetables, eggs, and cheese, enough for all hands, and two or three tubs of butter with plenty of fresh bread. This was received on the vessel, and all hands partook of it. The next night Jones and Co. (or Jones, Highat and Co.) sent us off a boat load of provisions, &c.; but the Custom house

officers would not permit it to come on board. Captain Paynter visited the ship frequently; on the morning of the day we were released he came, and as he was going he said, "Men, you need not be impatient; you will soon be released, probably this evening; I am doing all in my power to obtain it for you. As soon as the formalities are got through with, and I receive the proper instructions I will do it." That evening, the 8th day of November, he came on board in a tug-boat. As he came on board he said, "I have come to release you, my men." He was cheered by the men. He went immediately aft. The men were all mustered. While we were mustering and making preparations to go aft, Captain Waddell sent some of the marines among the men to tell them they were all to be Southerners when their names were called. I was myself told this by a marine by the name of John Ivors, who told me the captain had sent him to tell all the crew. On being mustered aft in the presence of Captain Paynter and Lieutenant Whittle, in consequence of this information, we all stated that we were Southerners when our names were called out. The mode was this,—we were all mustered one side of the vessel. Lieutenant Whittle called our names and number, and as each man was called he passed in front of Captain Paynter, who addressed to each "What countrymen are you?" All the Englishmen, Scotch, or Irish answered that they were Southerners. The other foreigners answered according to their nation. As soon as this was done we were told to get into the steamer as quick as possible, which we did, and were then landed at Liverpool. No parole was asked or taken from any of us. We were told we were at liberty. Mr. Lynch, the carpenter, married an English woman some time before our cruise commenced, and was living before, and is now living in Liverpool. On Thursday or Friday after we were landed, James Baines, a merchant of Liverpool, sent for all the officers of the "Shenandoah" to come to his office.

The annexed list contains the names of all the officers, petty officers, and men of the "Shenandoah" after we left Melbourne up to the time we arrived in Liverpool. There were some men who left the ship at Melbourne, whose names I do not know. With two or three exceptions, the men and officers in the list are those that were landed at Liverpool. The list gives the nationality of each person, when he enlisted, and when he left the vessel.

(Signed) WILLIAM A. TEMPLE.

Sworn and subscribed to before me this 6th day of December, 1865, at Liverpool, in the county of Lancaster in England.

Before me,

(Sinned) JAS. THORNELY, *Notary Public, Liverpool.*

Inclosure 3 in No. 24.

LIST of the Officers and Men of the "Shenandoah," referred to in the preceding Affidavit.

Officers.

James J. Waddell, Commander; an American; came out in the steamer "Laurel" from Liverpool.

William C. Whittle, First Lieutenant; an American; joined the "Sea King" at London.

John Grimball, Second Lieutenant; an American; came out in steamer "Laurel" from Liverpool.

Sydney Smith Lee, Third Lieutenant; an American; came out in steamer "Laurel" from Liverpool.

Frederick Chen, Fourth Lieutenant; an American; came out in steamer "Laurel" from Liverpool.

Dabney N. Scales, Fifth Lieutenant; an American; came out in steamer "Laurel" from Liverpool.

Charles Edward Lining, First Surgeon; an American; came out in steamer "Laurel" from Liverpool.

Frederick M'Ulty, Second Surgeon; an American; came out in steamer "Laurel" from Liverpool.

Matthew O'Brien, First or Chief Engineer; an American; came out in steamer "Laurel" from Liverpool, was in the "Alabama."

Charles Codd, First Assistant Engineer; an American; came out in the steamer "Laurel" from Liverpool; was in the "Rappahannock."

John Hutchinson, Second Assistant Engineer; a Scotchman; came out in and joined from the "Sea King."

Francis M'Guffney, Third Assistant Engineer; an Irishman; came out in steamer "Laurel" from Liverpool; was in the "Sumter" and "Alabama" under the name of Curren.

Irvine S. Bullock, Sailing Master; came out in steamer "Laurel" from Liverpool; was in the "Alabama." Is brother to J. D. Bullock.

John Blackar, an Irishman; Captain in the English Merchant Service; joined at Melbourne as Captain's Clerk.

Orris A Browne, a passed Midshipman; an American; came out in the steamer "Laurel" from Liverpool.

John J. Mason, a passed Midshipman; an American; came out in the steamer "Laurel" from Liverpool.

Cornelius Hunt, Master's Mate; an American; came out in the steamer "Laurel" from Liverpool; was on the "Georgia" and "Rappahannock."

F. C. Minor, Master's Mate; an American; came out in the steamer "Laurel" from Liverpool; was in the "Alabama" and "Sumter."

Lodge Colton, Master's Mate; an American; came out in the steamer "Laurel" from Liverpool; was in the "Rappahannock."

H. Manning, Master's Mate; an American; joined us from the barque "Abigail;" was Second Mate on her.

W. B. Smith, Purser; an American; came out in steamer "Laurel" from Liverpool; was Captain's Clerk on "Alabama."

George Howard, Boatswain; an Englishman; belongs to the Royal Navy of England, or had served in it; came out in steamer "Laurel" from Liverpool; has been in the "Alabama."

Peter Guy, Gunner; an Englishman; has been in the Royal Navy of England; came out in steamer "Laurel" from Liverpool.

John Lynch, Carpenter; an American, from New York, but married to an Englishwoman residing in Liverpool; came out in steamer "Laurel" from Liverpool.

John O'Shey, Carpenter, but resigned at Melbourne; came out in "Laurel" from Liverpool; was an Irishman by birth.

A. Alcott, Sail-maker; an Englishman; came out in steamer "Laurel" from Liverpool; was on the "Alabama."

Petty Officers.

Michael Moran, an Irishman; First Captain of forecastle; came out in steamer "Laurel" from Liverpool.

William Warren, an Englishman; Second Captain of forecastle; came out in the steamer "Laurel" from Liverpool.

Louis Rowe, a Frenchman; Captain of main-top; joined us from barque "Alina."

Robert Dunning, an Englishman; Captain of fore-top; joined us at Melbourne.

Thomas Strong, an American; Captain of mizen-top; joined us at Melbourne.

Charles Cobbey, an Englishman; Gunner's Mate; joined us at Melbourne.

James Bronnan, an Englishman; Chief Boatswain's Mate; came out in steamer "Laurel" from Liverpool; was on the "Alabama."

Thomas Hall, an Englishman; Quartermaster; came out in steamer "Laurel" from Liverpool.

John James, an Englishman; Carpenter's Mate; jolned us at Melbourne.

John Spring, an Englishman; Captain of the Hold; joined us at Melbourne.

William Crawford, an Englishman; Gunner's Mate; came out in the steamer "Laurel" from Liverpool; was on the "Alabama."

Lewis Wiggins, a Russian; Signal Quartermaster; came out in the steamer "Laurel" from Liverpool.

Ernest W. Burt, an Englishman; Doctor's Steward; joined us at Melbourne.

James A. Exshaw, an Irishman; Purser's Steward; joined us at Melbourne.

Peter Ramond, a Frenchman; Captain of Fore-top; joined us from barque "Alina."

William West, an Englishman; Captain Main-top; belongs to Royal Naval Reserve; joined us from barque "D. Godfrey."

John Griffiths, an Englishman; Captain Mizen-top; came out in the steamer "Laurel" from Liverpool.

Henry Fox, or Henry Yates, an Englishman; Gunner's Mate; came out in steamer "Laurel" from Liverpool; was on the "Alabama."

John Davy, an Englishman; Boatswain's Mate; joined us from barque "D. Godfrey."

John W. Jones, a Welshman; Quartermaster; came out in the steamer "Laurel" from Liverpool.

Jacob Hanson, a Dane; Quartermaster; joined us from the barque "L. M. Stacy."

Francis Tuft, an Englishman; Cooper; joined us from the "Edward."

Franklin Gloon, his right name is
Sailmaker's Mate; an American; joined us at Melbourne.

Charles McLaren, a Scotchman; Master-at-Arms; joined us at Melbourne.

James Marlow, an Englishman; Ward-room Cook; came out in the "Laurel" from Liverpool.

Charles Hopkins, a Negro, Baltimore; Ward-room Cook; joined us from schooner "L. M. Stacy."

William Smith, an Englishman; Ship's Cook; joined us at Melbourne.

John Williams, a Negro; Ship's Cook; joined us from barque "D. Godfrey"; left us at Melbourne.

William Bruce, a Malay; Ward-room Steward; joined us from barque "Alina"; left us at Melbourne.

David Alexander; Corporal of Marines; a Scotchman; joined us at Melbourne.

William Park, an American; Corporal of Marines; joined us from ship "Hector."

William Fenner, an English boy; Captain's Steward; came out in the "Laurel" from Liverpool.

H. C. Canning, an Englishman; joined us at Melbourne; died October 29, 1865.

Seamen.

John Collins, an American; joined us at Melbourne.

Thomas Foran, an Irishman; joined us at Melbourne.

Lawrence Kerney, an Irishman; joined us at Melbourne.

John McDonal, a Scotchman; joined us at Melbourne.

John Ramsdale, an Englishman; joined us at Melbourne.

John Kilgower, a Scotchman; joined us at Melbourne.

Thomas Swanton, an Englishman; joined us at Melbourne.

James Welch, an American; joined us from barque "Pearl."

John Morris, a Portuguese; joined us from ship "Hector"

George Adeias, a Portuguese; joined us from ship "Hector."

Walter Way, an Englishman; joined us from the "Susan."

John Hawthorn, an Irishman; joined us from ship "General Williams."

Alfred Seaman, a Prussian; joined us from ship "S. Abigail."

Charles Graft, a German; joined us from ship "S. Abigail."

Antonio Delombas, a Portuguese; joined us from ship "Hector."

John Blacking, a Dane; joined us from barque "D. Godfrey."

John Moss, an Irishman; joined us at Melbourne.

William Simpson, an Englishman; came out in "Laurel" from Liverpool; was on the "Alabama."

Joachim Roderichs, a Portuguese; joined us from ship "Hector."

George Flood, an American; joined from barque "D. Godfrey."

James Fegan, an Irishman; joined us at Melbourne.

Samuel Crooks, an Englishman; joined us at Melbourne.

John Simmes, an Englishman; joined us at Melbourne.

John Hill, an Irishman; joined us at Melbourne.

William Hutchinson, an Englishman; joined us at Melbourne.

Thomas Evans, a Welshman; joined us at Melbourne.

Charles H. Morton, an American; joined us at Melbourne.

George H. Gifford, an American; joined us at Melbourne.

John Kelly, an Irishman; joined us from brigantine "Susan Abigail."

John Dowden, an American; was mate on the "Abigail," and joined us as seaman.

Julius Colar, an American; joined us from the ship "General Williams."

Alexander Pattison, a Scotchman; joined us from the "Susan Abigail."

John Hilcox, an Englishman; joined us from the "General Williams."

Henry Canning, an Englishman; joined us at Melbourne.

Joseph Steveson, a negro; joined us from the "Pearl."

John Vanarery, a Canadian; joined us from the "Gypsey."

Michael Rose, called Reed; an Englishman; came out in the "Laurel" from Liverpool; was in the "Alabama."

William Bill; from Sandwich Islands; joined us from "Abigail;" died 26th October, 1865.

Henry Givens; from Sandwich Islands; joined us from "Abigail."

John Mahoe; from Sandwich Islands; joined us "Abigail."

Joseph Long; from Sandwich Islands; joined us from "Abigail."

James California; from Sandwich Islands; joined us from "Abigail."

James French; from Sandwich Islands; joined us from "Abigail."

John Sailer, from Sandwich Islands; joined us from "Abigail."

William Brown, from Sandwich Islands; joined us from "Abigail."

Joseph Kanaca, from Sandwich Islands; joined us from "Abigail."

John Boy, from Sandwich Islands; joined us from "Abigail."

Edward Wicks, a negro; joined us from the "Waverley."

W. J. Jones, an Englishman; came out in "Sea King."

James Ross, a Canadian; joined us at Melbourne.

John Williams, an English boy; joined us at Melbourne.

James Oar, an English boy; came out in "Laurel" from Liverpool.

Robert Rosell, a Spanish boy; joined us from the "Hector."

Duke Simmons, a Malay; joined us at Melbourne.

Firemen.

John Martin, an Englishman; Engine Store-Keeper; came out in the "Sea King."

David Marshall, an Englishman; First Class Fireman; came out in the "Laurel."

Thomas McLean, a Scotchman; First Class Fireman; joined us at Melbourne.

William Brice, a Scotchman; joined us at Melbourne.

William Green, an Englishman; joined us at Melbourne.

William Rawlinson, an Englishman; came out in the "Laurel," from Liverpool.

William Clark, an Englishman; came out in the "Sea King," from London.

William Burgess, an Englishman; joined us at Melbourne.

Joseph Mullineux, an Englishman; joined us at Melbourne.

Henry Sutherland, a Scotchman; joined us at Melbourne.

James Carr, an Englishman; joined us from the ship "J. C. Nye."

James Stranth, a Scotchman; joined us at Melbourne.

Marines

Henry Reiley, a Canadian; joined us at Melbourne.

William Kenyon, an Irishman; joined us at Melbourne.

Robert Brown, an Englishman; joined us at Melbourne.

John Murray, an Irishman; joined us from the barque "Abigail."

Emanuel Silver, Portuguese; joined us from the barque "Abigail."

William Burnet, a Prussian; joined us from the barque "Abigail."

Thomas Barry, an Englishman; joined us from brigantine "Susan Abigal."

Thomas Floyd, an Irishman; joined us from barque "Favourite."

John Ivors, an Irishman; joined us from barque "Favourite."

Thomas Poulson, an Englishman; joined us from barque "Favourite."

James Clury, an Englishman; joined us from barque "Favourite."

John Grimes, an Irishman; joined us from barque "Favourite."

(Signed) WILLIAM A. TEMPLE.

(Signed) JAS. THORNELY, *Notary Public, Liverpool.*

Inclosure 4 in No. 24.

Affidavit of Margaret Marshall.

I, MARGARET MARSHALL, of No. 29, Benseidi-street, Liverpool, say I am the wife of David Marshall. My husband was one of the firemen on the steamer "Shenandoah," late in command of Captain Waddell. He went out from Liverpool in the "Laurel" and joined the "Shenandoah" at the Island of Deserta, near Madeira, and

remained on her during the whole cruize, and left her only after her arrival at Liverpool last month. His wages were 7*l.* per month. They gave him a half-pay note for me; it was sent to me by my husband from Madeira. It was for 3*l.* 10*s.* per month made payable to me. It was payable at the office of Fraser, Trenholm, and Co., Liverpool, No. 10, Rumford-place. It was paid regularly every month while he was gone up to the 18th day of October last, on which day the last payment was made to me—I mean October 18, 1865. Mr. Robinson was the cashier in the office of Fraser, Trenholm, and Co., who made some payments to me. The payments were made to me in person. They took my half-pay note from me at the office and now have it.

(Signed) MARGARET MARSHALL.

Sworn and subscribed to before me this 11th day of December, 1865.

(Signed) JAS. THORNELY, *Notary Public, Liverpool.*

No. 25.

The Earl of Clarendon to Mr. Adams.

Sir, *Foreign Office, December* 30, 1865.

I HAVE the honour to acknowledge the receipt of your letter of the 28th instant, inclosing further papers respecting the case of the "Shenandoah," and to state to you that they shall receive due attention.

I am, &c.

(Signed) CLARENDON.

No. 26.

Mr. Adams to the Earl of Clarendon.—(Received January 3.)

My Lord, *Legation of the United States, London, January* 3, 1866.

IT may, perhaps, be recollected by your Lordship that in the note which I had the honour to address to you on the 18th of November, allusion was made to a suggestion made by your predecessor, the Right Honourable Earl Russell, in his note of the 2nd of the same month, which I was then answering, that looked to the possibility of a concurrent revision of the statutes of both nations to the end that greater security might be given to them against those who endeavour to evade the letter of their present Neutrality Laws Considering this in the nature of a proposition, I took the liberty to mention to you that I should with pleasure transmit it for the consideration of my Government.

I have now the honour to inform your Lordship that the views of that subject expressed in my note have met with approval. It is, then, with regret, but without surprise, that I find myself directed to add that the United States do not incline towards an acceptance of his Lordship's proposition.

I pray, &c.

(Signed) CHARLES FRANCIS ADAMS.

No. 27.

The Earl of Clarendon to Mr. Adams.

Sir, *Foreign Office, January* 4, 1866.

I HAVE the honour to acknowledge the receipt of your letter of the 3rd instant, in which you inform me that the United States' Government is not inclined to assent to a concurrent revision of the statutes of the two nations with a view to the more complete execution of the duties of neutrality.

I am, &c.

(Signed) CLARENDON.

No. 28.

The Earl of Clarendon to Sir F. Bruce.

r, *Foreign Office, January* 19, 1866.

IN my despatch of the 26th ultimo, I transmitted to you a copy of a despatch addressed to Mr. Adams by Mr. Seward, and which had been communicated to me by the former, protesting against the course pursed by Her Majesty's Government with regard to the "Shenandoah."

Her Majesty's Government have had this despatch under their consideration in communication with the proper Law Advisers of the Crown; and I have now to state to you that it is impossible for Her Majesty's Government to avoid expressing their surprise and regret at the tone and style which throughout characterize it. The despatch imputes to Her Majesty's Government, in plain terms, a determination to disregard "applications for justice" made by the United States' Government, and an intention to shelter from the punishment due to their offence persons known to be guilty of piracy.

Her Majesty's Government think that by not replying to this extraordinary and unfounded charge they shall best consult their own dignity, and exhibit their desire to maintain friendly relations with the Government of the United States.

With respect to the proofs stated to have been furnished to Her Majesty's Government of the alleged guilty practices of the "Shenandoah," and the statements as to the nationality of her crew, I have to make the following observations.

Mr. Seward, in his despatch, while dwelling only upon the crime of piracy, which he assumes to have been committed by the commander and crew of the "Shenandoah," says that the alleged offenders when under the power of Her Majesty's Government, obtained their "discharge and unconditional enlargement" upon two grounds—first, that Her Majesty's Government had in their possession no evidence to impeach a prevaricating plea of the commander; and, secondly, that none of those persons were subjects of Great Britain; "whereas," he says, "upon evidence which seems to this Government entirely conclusive, all the offenders were either native subjects of the Queen, or had become, by some sufficient form of refuge or domiciliation, amenable, equally with native subjects, to the penal laws of the realm."

Mr. Seward cannot be ignorant that Her Majesty's Government have never alleged the fact that none of these persons were shown to be subjects of Great Britain, as a reason for not prosecuting them for piracy. Foreigners, guilty of piracy, are as much amenable to the tribunals of this country as natural-born subjects. It was only with reference to a very different question, namely, whether any charge could be made under the "Foreign Enlistment Act," that the nationality of these persons was, or was ever alleged to be, material. That question, of course, depended upon the words of the particular statute: under which the enlistment abroad or on the high seas of persons who had become by any "form of refuge or domiciliation" or otherwise, amenable to British laws while in this country, would not be an offence, unless they were "natural-born subjects of Her Majesty."

Mr. Seward does not commit himself to the assertion that Her Majesty's Government were in possession of evidence to show that any of those persons who formed the crew of the "Shenandoah" when she arrived at Liverpool were natural-born British subjects; and as a matter of fact, it is certain that Her Majesty's Government were not in possession of any such evidence; nor could such a fact be presumed, in the absence of evidence against individuals coming to Liverpool on board a Confederate ship of war, and not shown to have enlisted within Her Majesty's dominions.

To return to the first ground, the only material one, as to the charge of piracy, upon which Her Majesty's Government is, and so far truly, said to have acted. Whether Captain Waddell's statement was or was not open to the charge of prevarication brough against it by Mr. Seward, it was not in the power of Her Majesty's Government to detain any of those men without laying an information against them before a Magistrate in the ordinary course of law, and supporting it by, at least, some *primâ facie* evidence. The simple fact is that there was no such evidence. But Mr. Seward says, (1) that "every part of the unlawful transaction complained of had occurred either in British ports, or on the decks of the 'Shenandoah,' herself a British vessel; (2) that all these transactions had been fully made known to Her Majesty's Government; and (3) that any parties who could give the necessary testimony for the conviction of the pirates were not only within Britsh jurisdiction, but actually within custody of Her Majesty's Government."

Each of these propositions must be separately examined. The first seems to Her Majesty's Government to imply that Mr. Seward's charge of piracy against the "Shenan-

doah" is not founded upon the alleged continuance of hostilities by Captain Waddell after he had received notice of the termination of the war, but that he designates as piracy all the captures made by that vessel during the whole course of the war, and endeavours to support that pretension by the allegation that she was throughout "a British vessel." To this it is enough to say that such a view is opposed either to universally acknowledged principles of law, or to notorious and indisputable facts. To universally acknowledged principles of law, if Mr. Seward means to contend that the commander and crew of a vessel, commissioned as a public ship-of-war by a revolutionary Government which has been recognized as a belligerent Power by neutral nations, can be charged in a neutral country with piracy, merely for capturing and destroying the ships of the other belligerent; to notorious and indisputable facts, if he means to deny that the "Sea King" was transferred and delivered by her former British owners and commander to agents of the Confederate States, by whom she was purchased in order that she might be employed and commissioned by and in the service of those States, or that she was actually so employed and commissioned as a public ship-of-war under the name of the "Shenandoah" from a period antecedent to the first capture made by her down to the close of the war. It cannot be too distinctly understood that no charge of piracy could possibly be preferred or entertained against this vessel under these circumstances by Her Majesty's Government or in the Courts in this country, unless it had been satisfactorily shown that this ship wilfully continued to seize and destroy United States' vessels after she was apprized of the termination of the war. But there is a further answer to the allegation that the "Shenandoah" is to be regarded as having been, while making war upon the United States, a British vessel. When she arrived at Liverpool Mr. Adams, on the 7th of November, 1865, requested Her Majesty's Government to take possession of her, with a view to deliver her into the hands of his (the United States') Government, taking notice, at the same time, of the belligerent character which in the eyes of Her Majesty's Government she had possessed, though suggesting that there might be grounds for taking criminal proceedings against the persons on board, either because "her ravages appeared to have been continued" after her claim to a belligerent character had, at all events, ceased, or because several of those persons were "British subjects."

Her Majesty's Government having received from Captain Waddell the possession of this ship, surrendered by him expressly for the reasons alleged in his letter of the 6th of November, 1865, namely, that "as all the property of Government had reverted, by the fortune of war, to the Government of the United States of North America, therefore this vessel, inasmuch as it was the property of the Confederate States, should accompany the other property already reverted," complied with Mr. Adams' request, and delivered up the ship to the agents of the United States' Government; at the same time sending Mr. Adams a copy of Captain Waddell's letter. Mr. Adams, in a letter dated the 14th of November, 1865, stated that the Consul of the United States at Liverpool had taken charge of the vessel under his instructions; and added what has, unfortunately, not been verified by the event, that he "entertained no doubt that the promptness of this proceeding would give great satisfaction to his Government."

It is hardly necessary for me to point out to you that Mr. Adams' request for the delivery of this ship to the United States' Government could neither have been made nor complied with, except upon the ground that she was, in the circumstances which had happened, the lawful property of that Government. If she had been British-owned, as Mr. Seward now desires to represent, the Government of the United States could have had no possible claim or title to her, even though she might have been guilty of piracy, nor could the Crown of Great Britain have acquired any title to or disposing power over her, by means of any surrender of Captain Waddell in the port of Liverpool, or by any other means short of a regular forfeiture and condemnation by process of law.

To Mr. Adams, when he made the request, all this was, of course, perfectly well known; and he also knew, if not otherwise, at all events from the proceedings before Vice-Chancellor Wood in the case of the United States *v.* Prideaux, taken by his own direction, that the Government and the Courts of this country must necessarily recognize his Government as entitled to the property in this vessel, on the ground stated by Captain Waddell, namely, that she had been acquired and was possessed, as public property, by the persons who during the war had exercised the powers of Government in the Confederate States,—a ground which, I may add, was also distinctly recognized by the Judge of the United States' Prize Court in the recent case of the "Wren." Her Majesty's Government were at the time entitled to assume, and they did so assume, that this request was made upon this ground, on which alone it could be supported; and after having so obtained the delivery of the vessel, it certainly does not seem to Her Majesty's Government to be consistent in the Government of the United States to deny that she was a

public ship-of-war belonging to and commissioned by the Revolutionary Government of the Confederate States.

I have dwelt so much upon this point because it seems to be that upon which Mr. Seward really relies. I now proceed to examine his second statement, namely, that "all the transactions" supposed to make out a case of piracy against the "Shenandoah" "had been," before the crew were released at Liverpool, "fully made known to Her Majesty's Government."

This confirms Her Majesty's Government in their impression that Mr. Seward does not mean to rely upon the allegation that the "Shenandoah" continued her ravages after she was apprized of the termination of the war. For the fact is, that the only particular with respect to any capture or captures made by the "Shenandoah" at any date or dates subsequent to the termination of the war, which had ever before that time been communicated to Her Majesty's Government either by Mr. Adams or in any other manner, were contained in the documents relating to the capture of the "William C. Nye" on the 26th of June, 1865, which were forwarded with Mr. Adams' letter to Earl Russell of the 21st of October last, and of which I now inclose copies.* Those documents, however, which included the Protest of the Master of the "William C. Nye," made at San Francisco on the 7th of August last, are absolutely silent as to any notice or knowledge of the termination of the war, either by the captors or by the master or crew of the "William C. Nye," or by any of the persons met by them on board the "Shenandoah" who had belonged to the crews of vessels previously captured.

This seems to Her Majesty's Government to be very strong negative evidence that the termination of the war was not, in fact, known at the time when and in the seas where this capture took place. But, whether that be so or not, these documents certainly did not put Her Majesty's Government in possession of any evidence showing or tending to show that the crime of piracy had been committed.

There remains only Mr. Seward's third statement, that "any parties who could give the necessary testimony for the conviction of the pirates were not only within British jurisdiction, but virtually within the custody of Agents of Her Majesty's Government." As Mr. Seward has not explained to what persons he here refers, I can only say that the existence of persons able to give such testimony was not then known or indicated to Her Majesty's Government; and if it was then known to the Minister or any other Agent of the United States in this country, it was not communicated by them to Her Majesty's Government. If Mr. Seward means that some of the persons forming the crew of the "Shenandoah" could themselves have given available evidence for this purpose, it is hardly necessary to observe that no such evidence was offered or known to be available; and that it is not consistent with our usual method of administering justice to endeavour to extract from persons suspected, even on probable grounds of crime, admissions capable of being used against themselves.

Her Majesty's Government have no further comments to offer upon this despatch, except to repeat what they have formerly stated, that if the Agents of the United States in this country, or any other persons, were in possession of evidence on which a charge of piracy against the officers and crew of the "Shenandoah" could have been supported before a magistrate, it was competent for them to have themselves preferred such a charge, and to have obtained a conviction thereon in due course of law.

You will read and give a copy of this despatch to Mr. Seward.

I am, &c.

(Signed) CLARENDON.

No. 29.

The Earl of Clarendon to Mr. Adams.

Sir, *Foreign Office, January* 19, 1866.

HER Majesty's Government having had under their consideration, in communication with the proper Law Advisers of the Crown, your letter of the 28th ultimo and its inclosures, respecting the case of the "Shenandoah," I have now the honour to state to you that these papers contain the first evidence which has been submitted to Her Majesty's Government bearing on the alleged piracy of Captain Waddell, and on the alleged breach of the Foreign Enlistment Act on the part of persons forming part of the crew of the "Shenandoah" when she arrived at Liverpool.

* See Inclosure 1 in No. 9.

With respect to the charge of piracy, Temple, who shipped on board the "Sea King" according to his affidavit, as an ordinary seaman in the port of London, in October 1864, certainly states that, on some day of June last, Captain Waddell was told by the captain and crew of a vessel which he had captured, that General Lee had surrendered, and that the war was over. It does not appear that this statement of the captain and crew, if actually heard by Temple, was at the time confirmed by anything written or printed, such as newspapers, letters, &c., and the truth of Temple's statement may be greatly doubted from the entire silence of the protest of the Master of the "William C. Nye," stated by Temple to have been afterwards captured, upon the same point. The "William C. Nye," it is to be observed, as appears from the protest of which a copy was forwarded by you to Lord Russell on the 21st of October last, was captured on the 26th of June. Captain Waddell continued to make prizes after this; but after the receipt of the next information, the date of which is not given further than that it was before the 6th of July, Temple does not assert that any further prizes were made. The next date which he gives is the 2nd of August, when Captain Waddell made further inquiries of the "Barracouta," an English vessel, and, upon receiving from her confirmation of the intelligence, determined to sail to England.

Her Majesty's Government are advised that, upon this evidence, there would not be such a reasonable probability of obtaining a conviction on the charge of piracy as to warrant a prosecution. Temple's statement as to the first communication of the cessation of the war to Captain Waddell would probably be contradicted by witnesses on Captain Waddell's behalf; but even if it were uncontradicted, the jury might well doubt whether Captain Waddell really believed the information of what he may reasonably have regarded as highly improbable, until it was subsequently confirmed, and, if he did not believe it, the guilty knowledge necessary to his conviction would not be established.

With respect to the nationality of some of the crew of the "Shenandoah," Her Majesty's Government think that the statements of Temple, although he does not show what means he has of knowing that any of the persons described as British subjects in his list are natural-born subjects of Her Majesty, are such as to make further inquiries necessary. Endeavours will therefore be made to ascertain the present residence or whereabouts of those whom he describes to be British subjects, and to ascertain what further proof can be obtained on this subject. Mrs. Marshall cannot give evidence against her husband, but other evidence against him may possibly be obtained.

Prosecutions under the 2nd section of the Foreign Enlistment Act will be instituted against any British subjects as to whom Temple's evidence can be confirmed by trustworthy testimony.

With respect to that part of your letter which refers to two eighteen-pounder guns being mounted on the deck of the "Shenandoah" when she left England, Her Majesty's Government have to observe that, if this were true, it would be immaterial, inasmuch as you do not assert that either you or Her Majesty's Government had information of it; and further, that the total silence of all witnesses in the case of the Queen *v.* Corbett, who had been examined by the United States' Consul on the subject of these guns, throws some doubt, to say the least, on this part of Temple's story. Independently of which, it is clear that the general armament and equipment of the "Shenandoah," with the necessary munitions of war, was provided by the "Laurel:" and there is nothing to render it probable that, without such equipment, and in the state in which she left this country, the "Shenandoah," even if she carried the two guns alleged, was in the condition of an armed vessel capable of committing hostilities against the United States.

Among other statements in the depositions of Temple which appear to require notice, are some relating to the conduct of the Governor and officers of the Government at Melbourne in Victoria.

Copies of your letter and its inclosures have accordingly been sent to the Colonial Office for inquiry as to the conduct of the authorities at Melbourne, as well as to the Home Office, with a view to prosecutions being instituted under the Foreign Enlistment Act, if sufficient evidence can be obtained to warrant proceedings being taken against any parties.

I am, &c.
(Signed) CLARENDON.

No. 30.

Mr. Adams to the Earl of Clarendon.—(*Received January* 25.)

Legation of the United States, London, January 24, 1866.

My Lord,

I HAVE the honour to acknowledge the reception of your Lordship's note of the 19th instant, touching the evidence furnished in my letter of the 28th of December, to certain facts connected with the cruize of the steamer "Shenandoah."

Whatever may be the weight attached to that evidence in a court of law, I have no reason to presume, that after the experience of preceding trials under the Enlistment Act, my Government would desire to be understood as furnishing it in the expectation of such use. The present object is, if possible, to establish the truth, so far as it may be obtained from the best sources, and to place it on record in a permanent form.

Fully believing that this may prove of eminent use to a comprehension of the precise nature of the obligations of neutral nations hereafter, I shall be happy to receive myself, as well as to furnish to your Lordship, any further elucidation of the actual facts attending this extraordinary case, that may appear, and that without regard to the bearing which it may be supposed to have on any particular view of the questions thought to be involved.

I pray, &c.

(Signed) CHARLES FRANCIS ADAMS.

No. 31.

The Earl of Clarendon to Mr. Adams.

Foreign Office, January 29, 1866.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 24th instant, and in reply I beg to state that Her Majesty's Government will gladly co-operate with you in establishing the truth, not only as regards the "Shenandoah," but in whatever may tend to render clear and practical the obligations of neutral nations.

I am, &c.

(Signed) CLARENDON.

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